

**OFFICIAL INFORMATION\*\*CONFIDENTIAL\*\*EVIDENCE CODE SECTION 1040  
INTRADEPARTMENTAL CORRESPONDENCE**

DATE: March 17, 2021

TO: Honorable Board of Police Commissioners

FROM: Inspector General

SUBJECT: OFFICER-INVOLVED SHOOTING 017-20 FOR 3/23/21 CLOSED-SESSION AGENDA

<b>Division</b>	<b>Date</b>	<b>Time</b>	<b>Duty-On (X) Off () Uniform-Yes (X) No ()</b>
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Newton	4/30/2020	9:38 p.m.	
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<b>Officer(s) Involved in Use of Force</b>	<b>Length of Service</b>
Coyle, L./PO II	2 years, 1 month
Ruiz, K./PO II	3 years, 7 months

<b>Total Involved Officer(s)</b>
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2 x PO II
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<b>Suspects</b>	<b>Deceased (X)</b>	<b>Wounded ()</b>	<b>Non-Hit ()</b>
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Daniel Hernandez Bravo: Male Hispanic, 28 years of age.
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**COP Recommendations**

**Tactics** – Administrative Disapproval, Officers Ruiz and Coyle.

**Drawing/Exhibiting** – In Policy, No Further Action, Officers Ruiz and Coyle.

**Lethal Use of Force** – In Policy, No Further Action, Officers Ruiz and Coyle.

**IG Recommendations**

**Tactics** – Same as COP.

**Drawing/Exhibiting** – Same as COP.

**Lethal Use of Force** – Same as COP.

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## INVESTIGATION

### Annotated Force Investigation Division Incident Summary<sup>1</sup>

**Synopsis:** On April 30, 2020, uniformed Newton Patrol Division officers were driving in the area of Wall Street and 23<sup>rd</sup> Street when they observed a black BMW Sport Utility Vehicle (SUV) stopped behind a Black Mercedes sedan. According to the officers, the area was a known gang area and the driver of the Mercedes appeared fearful, so they stopped their vehicle to speak with him. As the officers stopped their vehicle and made verbal contact with the driver of the Mercedes, the driver of the BMW reversed at a high rate of speed, collided with a parked vehicle, and drove into an alleyway. Officers followed the vehicle into the alleyway and attempted to conduct a traffic stop; however, all three occupants of the BMW exited and fled on foot. As the officers exited their vehicle, one of the passengers removed a pistol from his waistband as he ran in the direction of the passenger officer, resulting in an Officer-Involved Shooting (OIS).

### **Investigative Summary**

At approximately 2138 hours, Newton Patrol Division uniformed Police Officers II Kevin Ruiz, Serial No. 42706, driver, and Luke Coyle, Serial No. 43567, assigned Unit 13Z3 Watch 3, were driving a marked black and white SUV police vehicle, Shop No. 81579, in the area of 23<sup>rd</sup> Street and Wall Street. Their vehicle was equipped with a Digital In Car Video System (DICVS).<sup>2</sup>

**Note:** The investigation determined the timestamp on Officer Ruiz and Coyle's DICVS was approximately seven seconds ahead of the timestamp on their BWV.

According to Officer Coyle, since they were assigned to a "Z" car, their mission for the day was not to handle radio calls, but rather to patrol high crime areas and conduct traffic stops and pedestrian stops, in an effort to reduce crime. Both officers were aware the area of 23<sup>rd</sup> Street and Wall Street was frequented by the Primera Flats gang, and a number of robberies and vehicle thefts had occurred there. Additionally, both Officers

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<sup>1</sup> The Incident Summary presented here is reproduced from FID's report regarding this case, and is supplemented with annotations by the OIG. All OIG annotations are referenced as an "OIG Note." All other references and citations in the reproduced FID Incident Summary (e.g., Investigators' Notes or Addenda Items) are reproduced directly from FID's report. Unless otherwise stated, all information provided in OIG annotations is derived from FID's investigation of this incident.

<sup>2</sup> Officer Ruiz, 24 years of age, 6 feet tall, 210 pounds, 3 years and 7 months with the Department, equipped with Oleoresin Capsicum (OC) spray, a pair of handcuffs, a Hobble Restraint Device (HRD), a 9 millimeter (mm) Smith and Wesson M&P9 semi-automatic pistol, an X26P TASER, Body Worn Video (BWV) and a ballistic vest. His PR-24 side handle baton was stored in the driver side floorboard of his police vehicle. Officer Coyle, 25 years of age, 6 feet 2 inches tall, 225 pounds, 2 years, 1 month with the Department, equipped with an ASP baton, OC spray, two pairs of handcuffs, an HRD, a 9mm Glock, model 34, semi-automatic pistol, an X26P TASER, BWV and a ballistic vest.

Coyle and Ruiz indicated the walls on the building at 23<sup>rd</sup> Street and Wall Street had been freshly painted and they were checking the area for fresh graffiti.

**Note:** According to Officers Coyle and Ruiz, they were regular partners and had worked together for approximately five months. They both stated they have had discussion on tactics in the past regarding traffic stops. According to Officer Ruiz, prior to the start of watch, they discussed tactics, including their equipment and contact and cover roles.

As Officers Ruiz and Coyle were driving west on 23<sup>rd</sup> Street and negotiated a right turn, north, onto Wall Street, they observed a black Mercedes Benz and black BMW SUV stopped facing south at the stop sign. According to Officer Ruiz, he stopped his vehicle next to the black Mercedes Benz, approximately five to seven feet away.

According to Officer Ruiz, he observed a male driver and a female front passenger in the Mercedes. He used his flashlight to illuminate the occupants of the Mercedes and the BMW and Officer Ruiz noted that the driver of the Mercedes appeared nervous. According to Officer Ruiz, while still seated in his vehicle, he waved his hand at the driver of the Mercedes and stated, "bro," to get his attention.

**Note:** According to Officer Ruiz, he did not activate his BWV at this point because he only intended on speaking to the driver about crime trends in the area. He did not intend on taking enforcement action.

When he looked at the driver of the BMW, Officer Ruiz noted he was a male Hispanic with tattoos on his face.<sup>3</sup> He also observed a male seated in the rear passenger seat.<sup>4</sup> Additionally, Officer Ruiz observed the male front passenger in the BMW had a bandana covering his face, which he thought was "odd," since no one else in the vehicle was covering their face.<sup>5</sup>

**Note:** Officer Ruiz was unable to precisely identify the tattoos on the driver of the BMW; however, he indicated that in his experience, facial tattoos are a common symbol that gang members use to show allegiance to their gang.

The investigation determined that Hernandez did not have a tattoo on his face; however, Villegas did have tattoos on his face.

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<sup>3</sup> The driver of the BMW was ultimately identified as Jose Hernandez, male, Hispanic, 31 years of age.

<sup>4</sup> The rear passenger was ultimately identified as Anthony Villegas, male, Hispanic, 30 years of age.

<sup>5</sup> The front passenger of the BMW was ultimately identified as the suspect, Daniel Hernandez Bravo, male, Hispanic, 28 years of age. The investigation determined there was no familial relationship between Jose Hernandez and Daniel Hernandez Bravo. For clarity, Daniel Hernandez Bravo will be referred to by "Bravo" throughout the remainder of this summary.

Officer Ruiz looked to his right and noted that the wall of the business on the northeast corner had been freshly painted with “*Flats*” gang graffiti. Based on his training and experience, Officer Ruiz formed the opinion that the driver of the BMW may be a gang member, and the occupants of the BMW had just committed a crime or were about to.

According to Officer Coyle, he believed the driver of the Mercedes appeared to be fearful, nervous and noted he was visibly sweating and shaking. According to Officer Coyle, as Officer Ruiz made verbal contact with the driver of the Mercedes, he shone his passenger side spotlight into the front windshield of the black BMW, in order to better see the occupants. According to Officer Coyle, he did not put them Code Six or activate his BWV at this time because he was more concerned with watching the occupants of the vehicles for possible threats since they were in a known gang area.

Officers Ruiz and Coyle’s DICVS captured Officer Ruiz reverse their police vehicle and reposition it in a slight northwest direction, angled toward the front hood of the Mercedes. According to Officer Ruiz, he stopped his vehicle approximately 12 feet away from the Mercedes.<sup>6</sup>

Officer Ruiz placed the police vehicle in park and opened his door. According to Officer Ruiz, he placed his left foot on the ground, and kept his right foot on the floorboard of the vehicle, as he stood behind his open door. Officer Ruiz used his flashlight to illuminate the driver of the Mercedes, who spontaneously placed his arms out of the window. Meanwhile, Officer Coyle opened his door and used his spotlight to illuminate the occupants of the BMW, while remaining seated in the vehicle.

**Note:** Officer Coyle believed the BMW was a four door sedan, not an SUV.

According to Officer Ruiz, he briefly spoke to the driver of the Mercedes and asked if he was okay. The driver’s side window of the Mercedes was also open, and the driver replied, “*I’m fine.*” According to Officers Coyle and Ruiz, they were attempting to determine if the driver of the Mercedes was a victim of a crime involving the occupants in the BMW.

According to Officer Ruiz, he was considering initiating an investigative stop on the two vehicles due to the fresh gang graffiti in the area, so he and Officer Coyle began to discuss the best way to tactically approach the vehicles and began to discuss requesting an additional unit. However, as they were discussing this, the BMW reversed northbound at a high rate of speed.<sup>7</sup>

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<sup>6</sup> The investigation determined Officer Ruiz and Coyle were stopped next to the Mercedes for approximately nine seconds before repositioning their vehicle.

<sup>7</sup> Officer Ruiz estimated the vehicle reversed at approximately 25 to 30 miles per hour (MPH), while Officer Coyle estimated the speed to be approximately 35 to 40 MPH.

**Note:** According to Officer Coyle, his intent was to exit his vehicle and stand behind the ballistic door panel for cover, but he was unable to do so before the BMW fled.

Officer Ruiz entered the police vehicle as Officer Coyle closed his passenger door and they began to follow the BMW north on Wall Street. DICVS captured the BMW reverse north and collide with a white Subaru WRX vehicle that was parked along the east curb of Wall Street. The impact of the collision pushed the Subaru north into a parked white Toyota Tercel sedan, damaging the rear bumper.<sup>8</sup> Officers Ruiz and Coyle's DICVS captured their police vehicle slowing as they approached the BMW, which had briefly stopped moving after the collision.

Officer Coyle's BWV captured him unholster his pistol while seated in the vehicle, which he held in his right hand.<sup>9</sup> In describing his decision for unholstering at this time, Officer Coyle stated, “*... I believed the situation may escalate to the point where deadly force is justified because they are driving the vehicle back at a high rate of speed. I don't know if they're going to put it in drive and would ram us.*”<sup>10</sup> Officer Coyle added that his partner had been rammed by a vehicle during a pursuit approximately two weeks prior.<sup>11</sup> Officer Coyle's BWV captured him holding his pistol in his right hand while using his left hand to open his door. Officer Coyle then used his left hand and obtained the vehicle's radio microphone.

**Note:** According to Officer Coyle, he did not broadcast their Code-Six location as they drove north because he did not want to lose sight of the suspects in front of him.

The investigation determined that Hernandez reversed a distance of approximately 250 feet, north on Wall Street.

After the collision, the BMW accelerated forward, west, and drove into an east-west alleyway across the street from where the collision occurred. Officer Ruiz drove their police vehicle into the alleyway, following the BMW. As the police car began moving again, Officer Coyle's door closed, and he continued to hold the microphone in his left hand and his pistol in his right hand. According to Officer Coyle, he knew that the alleyway was a dead end, and believed that the occupants would exit their vehicle and flee, so he remained unholstered.

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<sup>8</sup> The Subaru and Toyota were both unoccupied at the time of the collision.

<sup>9</sup> Gleaned from Officer Coyle's BWV at approximately 2138:35 hours.

<sup>10</sup> Officer Coyle's statement, Page 8, Lines 19-23.

<sup>11</sup> The investigation determined that on April 9, 2020, Officer Ruiz was involved in a vehicle pursuit where the suspect attempted to ram his vehicle but was unsuccessful. A pursuit report was completed documenting the incident, under Division of Records No. 2013-09238.

As they drove into the alley, Officer Ruiz activated his BWV. According to Officer Ruiz, the occupants of the BMW were clearly trying to evade them when they began backing north on Wall Street. He was unsure if the occupants would flee on foot, but Officer Ruiz intended on stopping them for the hit and run he just observed, so he directed Officer Coyle to request a back-up.<sup>12</sup>

At approximately 2138:42 hours, Officer Coyle broadcast, “Z3, let me get a backup two-two-two Wall Street.”<sup>13</sup> As he broadcast, Officer Coyle’s BWV captured him use his right hand, while still holding his pistol, to open his door, and push the door with his right foot.

**Note:** This was the first broadcast the officers made to Communications Division (CD) during the incident. According to Officer Coyle, although he intended to make the broadcast, he did not recall having time to make it.

Hernandez stopped the BMW in the alleyway, approximately 100 feet west of Wall Street. Officer Ruiz activated his forward-facing red light and siren and stopped their police vehicle, approximately 11 feet, behind the BMW.

**OIG Note No. 1:** *In discussing the alleyway, Officer Ruiz told FID, “It didn’t even come into my mind that it was a dead end there. You know, at that point, I was - - I couldn’t - - I didn’t - - it was moving so quick that I thought it was just a regular street until you go in, then your mind catches up with what you’re doing and you say this is an alleyway, not a street.”<sup>14</sup>*

*Officer Ruiz also told FID that he intended to conduct a traffic stop on the BMW. He stated, “When I first drove into it, it was going to be a traffic stop.”<sup>15</sup> Additionally, Officer Ruiz told FID, “As we stopped on the vehicle, I went ahead and turned on my lights and sirens so I could initiate a stop so they could be aware that they’re being stopped.”<sup>16</sup> When asked how far behind the BMW he stopped, Officer Ruiz replied, “I’m about one - - one and a half car lengths.”<sup>17</sup> With regard to why he stopped at that distance from the BMW, Officer Ruiz stated, “So, I didn’t believe he was going to come to an abrupt stop.”<sup>18</sup>*

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<sup>12</sup> At approximately 2138:41 hours, Officer Ruiz’s BWV captured him directing Officer Coyle to request a backup at 222 Wall Street.

<sup>13</sup> The alleyway was located just south of 2225 Wall Street.

<sup>14</sup> Officer Ruiz, Second Statement, Page 21, Lines 10-22.

<sup>15</sup> *Id.*, Page 22, Lines 12-13.

<sup>16</sup> Officer Ruiz, First Statement, Page 12, Lines 2-5.

<sup>17</sup> *Id.*, Page 24, Lines 7-8.

<sup>18</sup> *Id.*, Page 29, Lines 3-4.

Once the BMW was stopped, DICVS captured Hernandez exit the driver's door and Villegas exit the left rear passenger door of the BMW. They both ran in a north westerly direction toward the apartment complex located at 2225 Wall Street. As the occupants ran, Officer Ruiz's BWV captured him state, "*Let me see your fucking hands!*"<sup>19</sup>

Meanwhile, Bravo exited the front passenger door of the BMW and ran east, on an elevated sidewalk. According to Officer Ruiz, he observed Bravo exit the BMW and run toward Officer Coyle. As Bravo ran, Officer Ruiz observed him holding his waistband area, which led Officer Ruiz to believe that Bravo was armed with a firearm. Officer Ruiz also believed it was unusual that Bravo ran back toward Officer Coyle, instead of running away from him to attempt to escape.

**Note:** Officers Ruiz and Coyle both believed that Bravo exited out of the rear passenger door of the BMW.

According to Officer Ruiz, he believed Bravo was armed and running at his partner, so he used the profanity to show dominance and, "*get his point across.*" Officer Ruiz also indicated there was no time to communicate these observations to his partner.

[...]

According to Officer Coyle, as he was attempting to broadcast, he observed Bravo running in his direction, "*Holding his waistband, as if he's going to pull a weapon out from his waistband.*"<sup>20</sup> Officer Coyle dropped the microphone from his left hand and turned to his right to exit the vehicle.

As Bravo ran on the sidewalk, Officer Coyle observed Bravo remove a blue-steel handgun from his waistband with his right hand. According to Officer Coyle, he believed Bravo was removing the gun in an attempt to shoot him. As Bravo removed the handgun, Officer Coyle believed Bravo lost his grip, because the handgun went, "*flying in front of him (Bravo).*"<sup>21</sup> Officer Coyle's BWV captured Bravo's handgun fall onto the ground and slide along a dirt parkway, adjacent to the sidewalk, before coming to a stop in the parkway. Officer Coyle estimated that the gun slid approximately 12 feet in front of Bravo. According to Officer Coyle, "*I see the glare from the light reflecting off the pistol as it's flying through the air, and I hear it hit the ground, knowing that it's a real gun, because I heard the steel hit the concrete.*"<sup>22</sup>

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<sup>19</sup> Gleaned from Officer Ruiz's BWV at approximately 2138:45 hours.

<sup>20</sup> Officer Coyle's statement, Page 21, Lines 19-21.

<sup>21</sup> Officer Coyle's statement, Page 10, Lines 15-16.

<sup>22</sup> Officer Coyle's statement, page 10, Lines 17-20.

The following images were captured from Officer Coyle's BWV, and depict the movement of Bravo's gun. For clarity and size, they were included as images.



**Note:** When Bravo ran past on the sidewalk, Officer Coyle estimated Bravo came within seven to ten feet of him.

Officer Coyle's BWV captured Bravo continue to run east and step off the sidewalk onto the alleyway. Due to the fact Bravo just dropped a firearm, Officer Coyle moved east in the alley toward the rear of his vehicle. Officer Coyle's intent was to redeploy around the rear of his vehicle to be with Officer Ruiz on the driver's side of the vehicle, since he no longer had the cover of his vehicle door. According to Officer Coyle, as he moved, he began to point his pistol at the middle portion of Bravo's back.

As Bravo continued east and neared his firearm lying in the parkway, Officer Coyle's BWV captured Bravo bend forward at the waist and reach down with his right hand toward the firearm, ultimately picking it up with his right hand.

Believing that Bravo was going to shoot him or his partner, Officer Coyle fired his first volley of approximately three to four rounds at the center of Bravo's back, in a northeasterly direction, from an increasing distance of approximately 12 to 17 feet. According to Officer Coyle, "*Because the suspect had already presented the fact that he was going to pull a pistol and shoot me, because he already tried and dropped it. And he -- he had a chance -- he ran -- instead of running past the pistol, he grabbed the pistol at -- to shoot me and my partner.*"<sup>23</sup>

**OIG Note No. 2:** *In describing Bravo's actions at this point during the incident, Officer Coyle made the following statements to FID: "And as soon as he saw me, he reached for his waistband to pull the pistol."<sup>24</sup> [...] "When he reached for his waist area, I saw a -- I saw a handgun in his right hand."<sup>25</sup> [...] "As he's removing it, he loses grip of it, and the pistol goes flying in front of him. And I hear it hit the concrete in front of him. And I hear it make a distinct sound of -- dink. That's metal. That's not a plastic gun hitting -- because I've recovered plastic guns from people on their waistband in cars, and you know the sound of a gun hitting -- of real metal hitting the concrete. [...] As the gun is dropping from his hand, the gun falls and slides approximately 12 feet in front of him."<sup>26</sup> [...] "And as soon as -- and then instead of running past the pistol, he reached down and grabbed the pistol like -- like this. [...] He reached down with his right hand and grabbed the pistol with his right hand."<sup>27</sup> [...] "Once he picks up the gun with his right hand, I see him angle like this as he's going to turn*

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<sup>23</sup> Officer Coyle's statement, Page 32, Lines 18-23.

<sup>24</sup> Officer Coyle, Page 23, Lines 17-18.

<sup>25</sup> *Id.*, Page 25, Lines 3-4.

<sup>26</sup> *Id.*, Page 26, Lines 7-14 and Lines 20-22.

<sup>27</sup> *Id.*, Page 27, Lines 9-11 and Lines 14-15.

*and shoot me with the pistol.”<sup>28</sup> At this point, according to Officer Coyle, he fired his first volley of three to four rounds at Bravo.*

**The following image was captured from Officer Coyle’s BWV and depicts Bravo reaching for his gun.**



Officer Ruiz had lost sight of Officer Coyle and Bravo due to being on the driver's side of the police vehicle, so he began to move east, toward the rear of his vehicle. According to Officer Ruiz, he heard nervousness in Officer Coyle's voice and heard Officer Coyle stated, “Drop the gun, drop the weapon!”<sup>29</sup> Officer Ruiz heard approximately three shots being fired, so he unholstered his pistol and held it in a two handed shooting position.

**Note:** According to Officer Coyle, based on the exigency of Bravo being armed, he did not recall if he communicated his observations of Bravo to Officer Ruiz. Additionally, he did not recall giving commands to Bravo; however, Officer Ruiz’s BWV captured Officer Coyle stating, “Drop it.”<sup>30</sup>

As he came out from behind the vehicle, Officer Ruiz observed Bravo bent over at the waist, holding a handgun in his right hand. According to Officer Ruiz, Bravo was turning his torso and shoulders east, and looking back in their direction, and bringing the gun up

<sup>28</sup> *Id.*, Page 28, Lines 20-22.

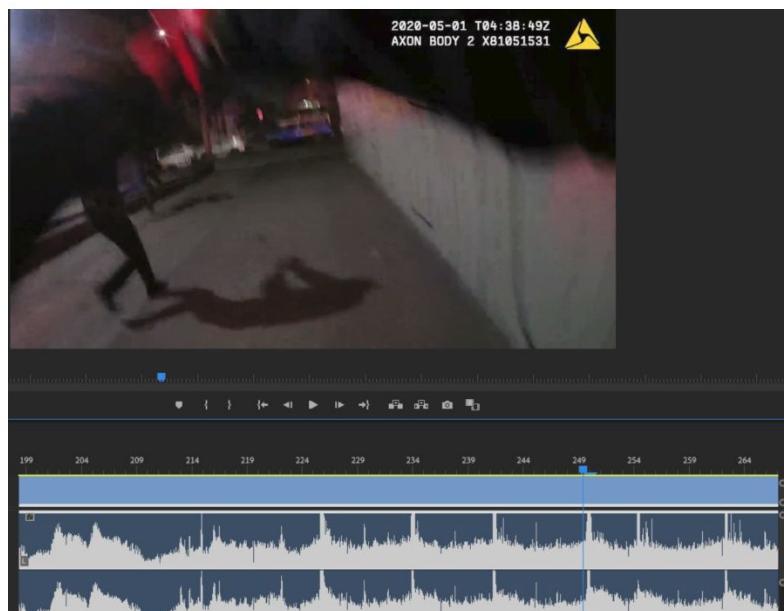
<sup>29</sup> Officer Ruiz’s statement, Page 29, Lines 10-11.

<sup>30</sup> Gleaned from Officer Ruiz’s BWV at approximately 2138:47 hours.

between his torso and shoulders. Because Officer Ruiz had already heard shots being fired, he believed Bravo had fired at Officer Coyle. Based on Bravo's body positioning, Officer Ruiz believed Bravo was trying to acquire him and Officer Coyle as a target and intended to shoot at them. In order to protect his life and the life of his partner, Officer Ruiz aimed his pistol at Bravo's upper torso and lower shoulder area, and discharged one round, in a northeasterly direction, from an approximate distance of 19 feet.

Immediately after Officer Ruiz discharged his single round, he observed Officer Coyle to his left and moving to the east, approximately three to four feet in front of him. According to Officer Ruiz, he immediately lowered his muzzle to avoid a crossfire situation.

**The following images were taken from a sound graph analysis of Officer Ruiz's BWV which captured still images during each of the rounds fired in the incident. The analysis determined that Officer Ruiz fired during one of the two still images depicted; however, investigators were unable to determine if Officer Ruiz fired during Image 4 or Image 5.<sup>31</sup>**



<sup>31</sup> The sound graph analysis was completed on May 4, 2020, by FID Video Technology Unit, Detective III Luis Alarcon, Serial No. 30383, using Adobe Pro version 13.0 software.

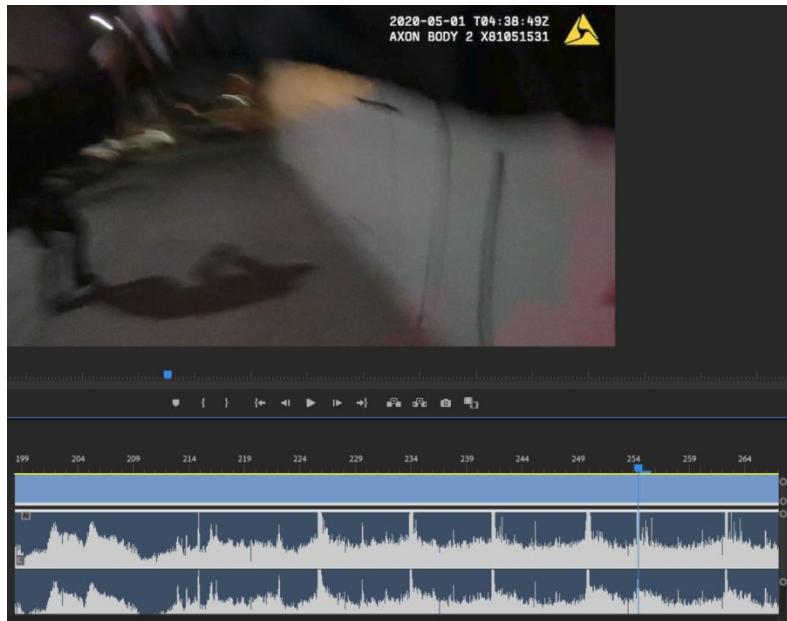


Image 5

**Note:** According to Officer Ruiz, Bravo turned his upper body to the left; however, BWV captured Bravo turning to his right.

After his first volley, Officer Coyle quickly assessed and observed Bravo continue to run east while looking back, west, at him and Officer Ruiz, with the handgun still in his right hand. According to Officer Coyle, Bravo's body was angled to the right, with his left foot on the ground, and his right foot back toward their direction. Officer Coyle observed Bravo raise his right arm to shoulder level and point the handgun at him and Officer Ruiz. Officer Coyle stepped to his right as he aimed his pistol at the right side of Bravo's chest and discharged a second volley of approximately three to four rounds, in a northeasterly direction, from an approximate distance of 17 feet. When asked if he felt there was any other options other than to fire his second volley, Officer Coyle stated, "No. That pistol was pointed right at me and my partner. And if I didn't -- if I didn't stop that threat, he was going to kill me and my partner."<sup>32</sup>

**OIG Note No. 3:** According to Officer Coyle, "After my reassessment of three to four rounds, the suspect looks westbound towards me and my partner with the pistol in his right hand. And I can see the shine -- like, the lighting -- I can see the shine off the pistol. I can identify it as a pistol. And I see the suspect pointing the weapon at me and my partner, so I then shot another volley of three to four rounds."<sup>33</sup>

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<sup>32</sup> Officer Coyle's statement, Page 43, Lines 5-7.

<sup>33</sup> Officer Coyle, Page 35, Lines 3-10.

**The following still image was captured from Officer Coyle's BWV depicting Bravo's firearm at the approximately time of Officer Coyle's second volley**



**Note:** The investigation determined that Officer Coyle fired a total of seven rounds in approximately two seconds.

Additionally, the investigation determined that from the time Officer Coyle exited the vehicle, to the time his last round was fired, approximately four seconds elapsed.

**The following three still images were captured from Officer Ruiz's BWV and depict his muzzle direction while Officer Coyle moved in front of him.**





After discharging their pistols, Officers Coyle and Ruiz assessed and observed Bravo fall to the ground, with the handgun underneath him. Bravo was positioned on his left side, facing south. His head was pointed in a southeasterly direction, and his feet were pointed in an easterly direction.

Officers Coyle and Ruiz each placed their pistols in low ready positions, with their muzzles pointed toward Bravo. They both moved to the south side of the alley, to a position of cover along a concrete wall on the west side of Wall Street. As they moved toward the wall, at approximately 2138:56 hours, Officer Coyle's BWV captured him broadcast, "Z3, shots fired, shots fired! Officer needs help!"

**Note:** Upon review of Newton frequency, it was determined that the frequency only captured Officer Coyle broadcast, "Officer needs help!"

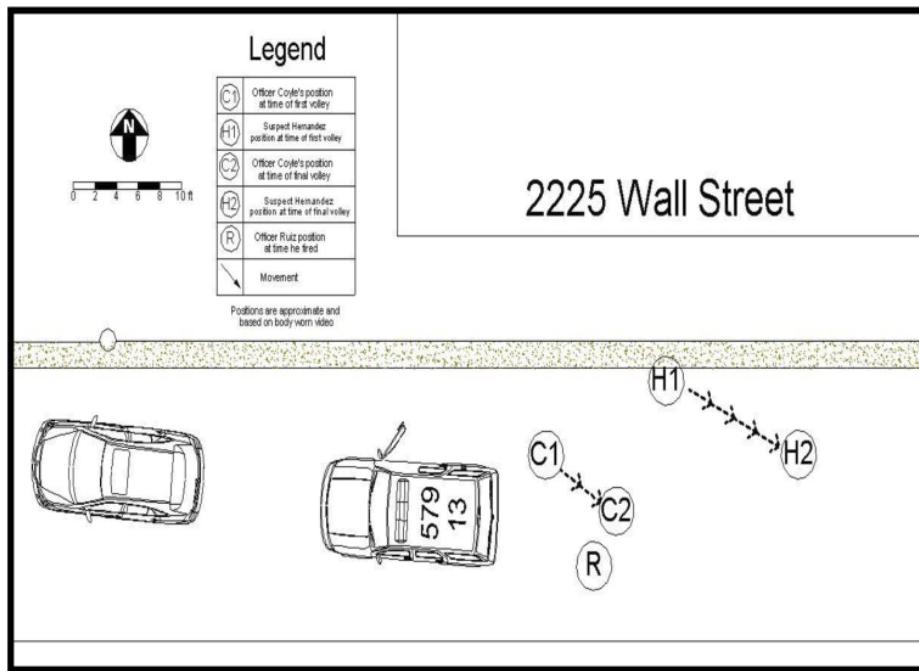
**OIG Note No. 4:** Officer Coyle told FID that, prior to broadcasting the OIS, he and his partner re-deployed to the wall at the opening of the alley. With

*regard to the timing of his broadcast, he stated, "So, I didn't want to put a radio in my hand when I have a possible armed suspect that is going to kill me or my partner."*<sup>34</sup>

Once they were behind the wall, Officers Coyle and Ruiz verbalized to Bravo to not move and to lie flat on the ground.

[...]

**The following diagram depicts the approximate positions of the officers and Bravo at the time of the OIS.**



**Note:** As captured on BWV, the officers' background at the time of the OIS appeared to be the wall of the apartment complex.

According to Officer Coyle, he knew he did not fire all the rounds in his magazine; however, due to the fact he was still involved in a tactical situation, he wanted to conduct a tactical reload. Officer Coyle advised Officer Ruiz that he needed to conduct a tactical reload of his pistol and did so as Officer Ruiz covered Bravo. Officer Coyle then placed the original magazine from his pistol into his left side cargo pant pocket.

In response to the help call, the following uniformed Newton Patrol Division and Central Patrol Division personnel arrived:

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<sup>34</sup> *Id.*, Page 41, Lines 21-23.

### **Newton Patrol Division**

- Police Officer III Arturo Urrutia, Serial No. 36065, and Police Officer I Matthew Tracey, Serial 44124, assigned 13A13;<sup>35</sup>
- Police Officer II Frank Vidaure, Serial No. 42534, unit 13XL3;
- Sergeant I Richard Koval, Serial No. 32560, assigned 13L30;<sup>36</sup>
- Lieutenant II Raul Jovel, Serial No. 33400, assigned 13G10;<sup>37</sup>
- Sergeant I William Hines, Serial No. 37786, assigned 13L140;<sup>38</sup>
- Sergeant I Samuel Blanco, Serial No. 39533, assigned 13L40;<sup>39</sup>

### **Central Patrol Division**

- Police Officer III Martin Garcia, Serial No. 39924, and Police Officer I Jesse Zuniga, 43993, assigned 1A85;
- Police Officer III Micah Braun, Serial No. 40756, and Police Officer I Delbert Salcedo, Serial No. 44072, assigned 1A41;
- Sergeant I Luis Contreras, Serial No. 25402, assigned 1L120;<sup>40</sup>

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<sup>35</sup> Officer Urrutia, 43 years of age, 5 feet and 8 inches, 165 pounds, 18 years and 7 months with the Department, equipped with OC spray, BWV, two pairs of handcuffs, an X26P TASER, a ballistic vest and Glock Model 21 .45 caliber semi-automatic pistol. Officer Urrutia indicated his HRD and side handled baton were both in his vehicle.

Officer Tracey, 32 years of age, 6 feet, 210 pounds, 8 months with the Department, equipped with a side handle baton, OC spray, BWV, two pairs of handcuffs, a HRD, an X26P TASER, a ballistic vest and a 9mm Smith and Wesson M&P semi-automatic pistol.

<sup>36</sup> Sergeant Koval, 49 years of age, 5 feet and 7 inches, 180 pounds, 24 years and 4 months with the Department, equipped with an ASP baton, OC spray, BWV, a pair of handcuffs, an X26P TASER, a ballistic vest and a Kimber 1911 .45 caliber semi-automatic pistol.

<sup>37</sup> Lieutenant Jovel, 48 years of age, 5 feet 6 inches, 175 pounds, 23 years and 8 months with the Department, equipped with OC spray, BWV, a pair of handcuffs, a ballistic vest and a Smith and Wesson 4566 .45 caliber semi-automatic pistol. Lieutenant Jovel was not assigned a BWV camera or a TASER.

<sup>38</sup> Sergeant Hines, 38 years of age, 6 feet 1 inches, 175 pounds, 14 years and 6 months with the Department, equipped with OC spray, BWV, a pair of handcuffs, a ballistic vest and a Glock 22 .40 caliber pistol. Sergeant Hines indicated his HRD and side handled baton were in his vehicle. Sergeant Hines was not assigned a TASER at the time of this incident and indicated none were available to check out from the Kit room.

<sup>39</sup> Sergeant Blanco, 36 years of age, 5 feet 6 inches, 185 pounds, 11 years and 9 months with the Department, equipped with OC spray, BWV, a pair of handcuffs, a ballistic vest and a Glock 21 .40 caliber pistol. Sergeant Blanco indicated his side handled baton was in his vehicle. Sergeant Blanco was not assigned a TASER at the time of this incident.

<sup>40</sup> Sergeant Contreras, 57 years of age, 6 feet and 2 inches, 190 pounds, 32 years and 10 months with the Department, equipped with a side handle baton, OC spray, BWV, a pair of handcuffs, an X26P TASER, a ballistic vest and 9mm 92F Beretta semi-automatic pistol. Sergeant Contreras indicated his HRD was in his vehicle.

- Police Officers II Mauro Garcia, Serial No. 42500, and Luis Blanco, Serial 42648, assigned 1Z45;<sup>41</sup> (Investigators' Note No. 1)
- Police Officer I Robert Sanko, Serial No. 43988, and Police Officer II Noah Holstein, Serial 43688, assigned 1X38;<sup>42</sup> (Investigators' Notes No. 2)

At approximately 2140:19 hours, Officers Urrutia and Tracey were the first additional officers to arrive, stopping their police vehicle north on Wall Street, just south of the alleyway. Officer Urrutia's BWV captured him communicating with Officers Coyle and Ruiz. They advised Officer Urrutia that there were shots fired. Officer Urrutia re-broadcast a help call and directed units to respond northbound Wall Street from 23<sup>rd</sup> Street. Officer Coyle then advised the suspect down in the alley had a gun underneath him, and two additional suspects ran northbound from the location.

**OIG Note No. 5:** *Officer Coyle said that Officer Urrutia was the first assisting officer to arrive, and that he advised Officer Urrutia about the outstanding suspects. According to Officer Urrutia, "I also heard one or both of them say that there's two outstanding suspects that ran northbound from the alley. Right there that also - - I put out shots fired, officer needs help. My main concern then and there was the officers - - their placement. I wanted them to have cover. And also knowing that there's outstanding suspects, I wanted to have cover. I wanted other units to know what we need. In essence, I was partially - - I thought of command and control. I started - - I started setting up a perimeter."<sup>43</sup>*

*Officer Ruiz indicated that he broadcast the information about the outstanding suspects after Sergeant Koval arrived and questioned him. He stated, "Briefly, he [Sergeant Koval] asked if there was outstanding suspects. And then I told him that there were. And I gave him - - and he told me to put it over the air. So, I put it over the air."<sup>44</sup>*

*According to Sergeant Koval, once the information about the outstanding suspects was broadcast, the airship coordinated establishing the*

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<sup>41</sup> Officer Mauro Garcia, 28 years of age, 5 feet 11 inches, 220 pounds, 4 years with the Department, equipped with an ASP baton, OC spray, BWV, two pairs of handcuffs, an HRD, an X26P TASER, a ballistic vest and a 9mm Smith and Wesson M&P9 semi-automatic pistol.

Officer Luis Blanco, 30 years of age, 5 feet 9 inches, 160 pounds, 3 years 8 months with the Department, equipped with his side handle baton, OC spray, BWV, two pairs of handcuffs, an X26P TASER, a ballistic vest and 9mm Smith and Wesson M&P9 semi-automatic pistol. Officer Blanco indicated his HRD was in his vehicle.

<sup>42</sup> Police Officer Sanko, 24 years of age, 6 feet and 2 inches, 220 pounds, 1 year 1 months with the Department, equipped with an ASP baton, OC spray, BWV, two pairs of handcuffs, an HRD, an X26P TASER, a ballistic vest and a 9 mm Smith and Wesson M&P9 semi-automatic pistol.

<sup>43</sup> Officer Urrutia, Page 10, Lines 15-25.

<sup>44</sup> Officer Ruiz, First Statement, Page 47, Lines 23-25 and Page 48, Lines 1-3.

*perimeter. He stated, “I could hear the airship setting up the perimeter. So, I didn’t think there was a need for me to take that over. That was being handled. And he had a much better view and angle than - - than I had. And I don’t know that area that well, and so I let - - let him continue on setting up that perimeter while I stayed back and at the shooting scene and kind of began running that.”<sup>45</sup>*

As responding units began to arrive, Officer Coyle’s BWV captured him requesting a shotgun and a shield. Officer Zuniga acquired his shotgun from the rack in his vehicle and replaced Officer Ruiz along the wall near the alleyway.

Meanwhile, Officer Urrutia began to coordinate a perimeter. Officer Urrutia also directed Officer Blanco to angle his police vehicle in a northwesterly direction, toward the entrance of the alleyway, to provide additional cover for officers.

At approximately 2142:11 hours, Sergeant Koval was the first supervisor to arrive. His BWV captured him place himself Code Six and declared himself as the Incident Commander (IC) to CD.

**Note:** Upon review of Newton frequency, it was determined that the frequency did not capture this broadcast. It appeared that the Air Unit may have “stepped on” his broadcast.

Officers Coyle and Ruiz identified themselves as being in an OIS and Officer Urrutia coordinated removing Officers Coyle and Ruiz from the tactical situation, since they had just been involved in an OIS. Therefore, Officers Martin Garcia and Mauro Garcia replaced them and each unholstered their respective pistol.

Officers Coyle and Ruiz holstered their pistols and walked a short distance south on the west sidewalk, and briefed Sergeant Koval, advising him that Bravo had a firearm underneath him, and provided the last known direction of Hernandez and Villegas. Sergeant Koval then requested that Officer Coyle broadcast a description of Hernandez and Villegas to CD, which he did.

At approximately 2142:33 hours, Sergeant Hines arrived, and he was advised by Sergeant Koval that Officers Coyle and Ruiz were involved in the incident. He advised the officers not to discuss the incident and began monitoring them on the sidewalk, south of the alleyway. Officers Ruiz and Coyle were not involved in the remainder of the tactical incident.

**OIG Note No. 6:** Officers Ruiz and Coyle subsequently provided Public Safety Statements to Sergeants Blanco and Hines, respectively.

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<sup>45</sup> Sergeant Koval, Page 13, Lines 15-22.

Sergeant Contreras was the next supervisor to arrive at approximately 2144 hours, followed shortly thereafter by Sergeant Blanco and Lieutenant Jovel.

At approximately 2145:16 hours, Sergeant Koval broadcast to CD, inquiring if a Rescue Ambulance (RA) had already been requested. The Radio Telephone Operator (RTO) inquired as to the nature of the injuries, indicating that an RA had not yet been requested, and Sergeant Koval advised that Bravo was unconscious and not breathing.

Sergeant Contreras was briefed by Sergeants Hines and Koval. Sergeants Koval and Contreras formulated a tactical plan to get an arrest team with a tactical shield to approach Bravo, take him into custody, and move him to the corner of 22<sup>nd</sup> Street and Wall Street for medical aid. According to Sergeant Koval, he was aware Bravo was bleeding and required medical aid; however, he did not believe the RA would respond to the alleyway due to the ongoing tactical situation and the outstanding suspects. Therefore, he made the plan to move Bravo from the location.

As captured on BWV, the contact team formed behind the wall on the south corner of the alleyway, and consisted of:

- Officer Salcedo utilized the tactical shield and was armed with his pistol;
- Officers Zuniga and Vidaure each acted as a cover officer, and each was armed with a shotgun;
- Officers Martin Garcia, Braun and Holstein provided cover for the handcuffing officers with their pistols;
- Officers Blanco, Sanko and Mauro Garcia were assigned to the arrest team and each wore latex gloves;
- Sergeant Contreras provided direction to Officers Salcedo and Zuniga; and
- Sergeant Koval provided direction to the rest of the team.

**Note:** According to Sergeant Koval, he was in possession of a Taser, but he did not incorporate less lethal into the tactical plan.

At approximately 2148:12 hours, Officer Sanko's BWV captured the officers approach Bravo, who was lying motionless on the ground on his left side, with his left arm underneath his body. Officer Salcedo approached first with his ballistic shield, and the rest of the team provided cover as Officers Blanco and Sanko approached Bravo. Officer Sanko gripped Bravo's right wrist and pulled it straight, causing Bravo to roll onto his stomach.

According to Officer Blanco, he observed Bravo's gun on the ground near his right shoulder, and he advised Officer Sanko to watch out for the gun. Officer Blanco gripped Bravo's upper left arm and pulled the arm out from under Bravo's body. Officer Blanco held Bravo's left arm behind his back while Officer Sanko completed the handcuffing.

Once Bravo was handcuffed, Officer Blanco lifted Bravo by his left arm, and Officer Sanko lifted his right arm while Officer Mauro Garcia gripped Bravo's ankles and lifted his legs. They carried Bravo in a south easterly direction, out of the alleyway, onto the

west sidewalk of Wall Street. The rest of the search team backed out of the alleyway behind them.

Officers Blanco, Sanko, and Mauro Garcia carried Bravo south on Wall Street on the west sidewalk. According to Officer Blanco, as they carried Bravo, he lost a proper grip on Bravo's left arm. Officer Blanco requested Officer Garcia to switch positions with him. Officers Blanco, Sanko and Garcia momentarily lowered Bravo on his stomach onto the sidewalk and Officers Blanco and Mauro Garcia switched positions. The officers lifted Bravo back up and carried him to the northwest corner of 23<sup>rd</sup> Street and Wall Street, where they placed him face down on the sidewalk. At the direction of Sergeant Koval, Officer Sanko searched Bravo.<sup>46</sup> After Bravo was searched, he was left handcuffed in a prone position.

[...]

At approximately 2155:50 hours, Los Angeles Fire Department (LAPD), RA No. 10, staffed by Firefighters/Paramedics (FF/PM) Nevarez and Hoppe arrived at scene and rendered aid to Bravo. FF/PMs were unable to revive Bravo and FF/PM Nevarez determined death at 2200 hours.

In response to the help call, multiple Metropolitan Division K9 Units, including Sergeant II Arno Clair, Serial No. 31212, Unit K930, responded to the scene. Sergeant Clair was advised that an OIS occurred, and it was unknown if the outstanding suspects fired at the officers or were armed with weapons. Based on the facts provided to him, Sergeant Clair determined the criteria for a K9 search had been met and coordinated a K9 search of the area.<sup>47</sup> As a result of the K9 search, Villegas was ultimately located walking out of an alleyway at 2219 Wall Street at approximately 2245 hours. He was taken into custody without incident and positively identified by Officer Coyle during a subsequent field show-up.

On May 1, 2020, at approximately 0034 hours, while searching the rear yard of 2224 ½ Wall Street, K9 Nik located Hernandez hiding in a storage container. Hernandez was bitten on his left arm by K9 Nik and was then taken into custody without further incident. Hernandez was positively identified by Officer Coyle and transported by RA to a local hospital where he was treated by medical staff. Hernandez was not hospitalized and was cleared for booking (Investigators' Note No. 3) (Addendum No. 1).

At approximately 2210 hours, the Department Operations Center (DOC) was notified of the OIS (Addendum No. 2).

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<sup>46</sup> Gleaned from Officer Blanco's BWV at approximately 2151:38 hours. His BWV captured Officer Sanko searching Bravo's front and rear waistband area.

<sup>47</sup> The investigation determined that Sergeant Claire was not substantially involved in the Categorical Use of Force; therefore, he was not interviewed by FID. The aforementioned information was gleaned from the LAPD K9 Deployment Report completed in conjunction with this incident.

Force Investigation Division (FID) Detective III Robert Solorza, Serial No. 27733, reviewed the documents and circumstances surrounding the separation and monitoring of the involved officers (Addenda Nos. 3 and 4).

### **Scene Description**

The OIS occurred in an east/west alleyway, south of 2225 Wall Street. Wall Street was bordered by 23<sup>rd</sup> Street to the south, 22<sup>nd</sup> Street to the north, Maple Avenue to the west, and Trinity Street to the east. Wall Street was a north/south roadway with one lane of traffic in each direction and parking along the east and west curbs. The area consisted of apartment complexes and single-family residences on the east side of Wall Street and a warehouse and apartment building on the west side of Wall Street.

The alleyway is the egress/ingress access for vehicle parking for 2219 Wall Street. The alleyway also allows access to the rear of an industrial clothing warehouse located at 2250 Maple Avenue and rear access for Vaqueros Market, located at 2228 Maple Avenue.

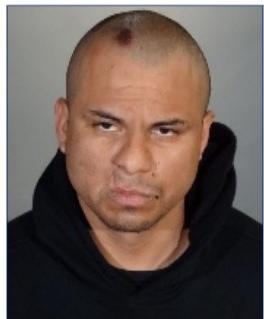
The incident occurred during the hours of darkness at approximately 2138 hours and the weather conditions were dry and clear. The location was illuminated by artificial lighting from streetlights located along the west side of Wall Street, from 23<sup>rd</sup> Street north to 22<sup>nd</sup> Street. There was external lighting attached to the south facing wall of 2225 Wall Street, which overlooked the alleyway.

### **Canvass for Witnesses**

On May 1, 2020, FID personnel conducted a canvass of the area for witnesses to the incident. No witnesses reported observing the OIS. Three witnesses reported hearing shots only, and LAPD Heard Only Witness Forms for Civilians were completed and were retained in the FID case book.

FID was unable to identify the driver or passenger of the Mercedes.

### **Suspect Information**



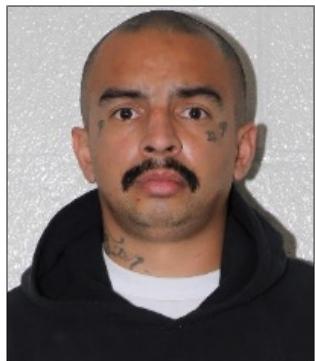
**Daniel Hernandez Bravo** was a male Hispanic with black hair and brown eyes. At the time of this incident, he was 5 feet 9 inches tall, weighed 194 pounds, and was 28 years old, with a date of birth of May 4, 1991. He was identified by Criminal Information Index (CII) No. A28966528 and California Driver License No. E2949225. His criminal history consisted of misdemeanor convictions for Grand Theft and Vehicle Hit and Run with Property Damage. At the time of the incident, he was on summary probation for Hit and Run. He was not the subject of any LAPD Mental Evaluation Unit (MEU) contacts (Addendum No. 5).

In relation to this incident, LAPD Investigative Reports were completed for the crime of Assault with a Deadly Weapon on a Police Officer against Officers Coyle and Ruiz, both naming Bravo as the suspect.



**Jose Hernandez** was a male Hispanic with black hair and brown eyes. At the time of this incident, he was 5 feet 6 inches tall, weighed approximately 160 pounds, and was 31 years old, with a date of birth of September 23, 1988. Hernandez was attired with a long-sleeved grey shirt, long red shorts and black sneakers. He was identified by CII No. A28014768 and his criminal history consisted of misdemeanor convictions for Driving Under the Influence, Driving with a Suspended License and Unlawful Recording of Audio-Visual Media. He was not the subject of any LAPD MEU contacts.

Hernandez was arrested for Hit and Run under Booking No. 5924175. On May 20, 2020, Deputy City Attorney Won Koo Chang filed the following misdemeanor counts on Hernandez; Driving with a Suspended License, Driving without a License, and Hit and Run with Property Damage.



**Anthony Manuel Villegas** was a male Hispanic with black hair and brown eyes. At the time of the incident, he was 5 feet 9 inches tall, weighted approximately 175 pounds, and was 30 years old, with a date of birth of September 2, 1989. Villegas was attired with a black hoody sweatshirt over a white t-shirt, long baggy black shorts, white socks and black sneakers. He was identified by CII A30220093. At the time of the incident Villegas was on formal probation for Vehicle Theft. Villegas had convictions for Driving with a Suspended license, Possession of Ammunition by a Felon, Possession of a Controlled Substance, Forgery, Receiving Stolen Property, Possession of a Firearm by a Felon and Vehicle Theft.

Department of Probation Officer Edgar Zepeda placed a Probation Hold on Villegas and he was booked under Booking No. 5924173 (Addendum No. 6).

## Injuries

At approximately 2155 hours, Los Angeles Fire Department (LAFD) Rescue Ambulance (RA) No. 10, staffed by Firefighter/Paramedics Nevarez and Hoppe responded and rendered aid to Bravo. Firefighter/Paramedic Nevarez determined Bravo's death at 2200 hours.

At approximately 0135 hours, LAFD RA No. 814 FF/PM Bebek and Cajiao responded and rendered aid to Jose Hernandez for a dog bite to his left arm. Hernandez was transported to Community Hospital of Huntington Park, where he was treated by Doctor

Samuel Ebiekne under Patient File No. MR0092200405, and ultimately cleared for booking.

## **Evidence**

On May 1, 2020, at approximately 0345 hours, Forensic Science Division (FSD), Firearms Analysis Unit (FAU) Criminalist III Marissa Biraimah, Serial No. N3136, Criminalists II Stephanie Tan, Serial No. N4626, and Dyna Shirasaki, Serial No. N4504, responded and conducted an examination of the OIS scene for ballistic impacts, trajectories and projectiles.

As a result of their examination, multiple items of evidence were recovered and booked under Division of Records (DR) No. 20-1310361. Included in those items were Bravo's pistol and magazine, a live .380 cartridge from the chamber of the pistol, seven live .380 caliber cartridges removed from the magazine, eight discharged 9mm caliber cartridge cases, a fired bullet, and miscellaneous clothing. The black BMW was also impounded and held for evidence. A total of 49 items of evidence were booked in conjunction with this incident (Addenda Nos. 7 and 8).

On May 1, 2020, at approximately 0745 hours, Central Traffic Division, Police Officer II Hector Ulloa, Serial No. 37611, assigned 24XL243, arrived at scene and completed a traffic collision report and impounded the vehicle pending a search warrant (Addendum No. 9).

On May 7, 2020, FID Detective II Robert McCarty, Serial No. 31125, authored a search warrant for the black BMW. The search warrant was signed by the Honorable Judge Deborah Brazil, of the Superior Court of California, County of Los Angeles, Central District, Department No. 34.

On May 7, 2020, the search warrant was served at US Tow, located at 2119 East 25<sup>th</sup> Street in Los Angeles. The search warrant was returned on May 22, 2020 and assigned Search Warrant No. CC2020 – 86860 (Addendum No. 10).

On May 7, 2020, Technical Investigation Division (TID) Latent Print Unit (LPU) Analyst Katarina Frink, Serial No. N5181, processed the BMW for fingerprints and lifted prints from the outer front driver side door and the outer front passenger door.

On May 18, 2020, TID LPU Examiner Anna Madrid, Serial No. N1568, determined that the latent print comparison of the driver door was generated to Hernandez. Examiner Madrid determined that the latent print comparison of the outer front passenger door was generated to Bravo (Addendum No. 11).

## **Coroner's Investigation**

### **Coroner's Response:**

On May 1, 2020, at approximately 0146 hours, the Los Angeles County Department of Medical Examiner-Coroner's Office was notified regarding Bravo's death.

At approximately 0440 hours, Coroner Investigator Brenda Shafer, Serial No. 459893, arrived at scene and conducted an investigation. Prior to transporting Bravo's remains to the Los Angeles County Forensic Science Center (LACFSC), Shafer completed a Gunshot Residue (GSR) kit, collecting samples from Bravo.

At approximately 0629 hours, Bravo's remains were transported to the Los Angeles County Department of Medical Examiner-Coroner in preparation for his post-mortem examination.

### **Autopsy:**

On May 2, 2020, Los Angeles County Department of Medical Examiner-Coroner, Deputy Medical Examiner Doctor Timothy F. Dutra, performed a post-mortem examination of Bravo's remains. Force Investigation Division Detective II Jose Robledo, Serial No. 34492, was present during the examination. During the examination, Doctor Dutra obtained specimens from Bravo for toxicological analysis.

Doctor Dutra determined that Bravo sustained seven gunshot wounds. The wounds were arbitrarily numbered by Doctor Dutra. There was no soot or stippling observed on any of the gunshot wounds. Abrasions to the forehead and left elbow were also identified.

**Gunshot Wound No. 1** - The bullet entered the right side of the neck below the ear. The track of the projectile was leftward, downward, and backward and embedded in the base of the posterior neck. A projectile was recovered from the neck tissue.

**Gunshot Wound No. 2** - The bullet entered the right shoulder and exited the right side of the upper back. The track of the projectile was leftward, downward, and backward.

**Gunshot Wound No. 3** - The bullet entered the right upper arm and exited the back of the neck. The track of the projectile was leftward, upward, and backward.

**Gunshot Wound No. 4** - The bullet entered the torso through the right chest area, fractured the fifth ribs, grazed the right lung, perforated the diaphragm, transverse colon, and came to rest in the abdomen wall. The track of the projectile was leftward, downward and forward. A projectile was recovered from the abdomen.

**Gunshot Wound No. 5** - The bullet entered the torso through the right chest area, fractured the right fifth rib, perforated the right lung, and exited the left buttock. The track of the projectile was leftward, downward and backward.

**Gunshot Wound No. 6** - The bullet entered the left side of the chest, grazed the left lung, perforated the heart, fractured the third and fourth costochondral cartilages of the ribs and embedded in the chest cavity. The track of the projectile was rightward, upward and forward. A projectile was recovered from the chest cavity.

**Gunshot Wound No. 7** - The bullet entered the outer right thigh, fractured the femur and embedded in the tissue of the thigh. The track of the projectile was leftward and upward. There was a projectile recovered in the soft tissue of the right thigh.

Doctor Dutra opined that the gunshot wounds to the neck and torso were fatal; however, he did reference which specific gunshot numbers were fatal in the autopsy report.

*OIG Note No. 7: In the Autopsy Report, Doctor Dutra wrote, "It is my opinion that this 28-year-old man, Danial Hernandez Bravo, died as a result of gunshot wounds of the neck and torso."<sup>48</sup> Doctor Dutra did not make any references as to which specific gunshot wounds were fatal.*

## Toxicology

Doctor Dutra obtained blood specimens from Bravo for toxicological analysis. On June 23, 2020, a Laboratory Analysis Summary Report was finalized by Los Angeles County Department of Coroner Supervising Criminalist I Sarah Buxton de Quintana. The analysis results determined Bravo tested positive for alcohol, cocaine and marijuana (Addendum No. 12).

## Weapons



Bravo was armed with a Walther, Model PPK/S, .380 Auto caliber semi-automatic pistol.

At the time of the recovery, the pistol was lying on its left side with the muzzle pointed in a southeasterly direction. Criminalist Shirasaki visually examined and unloaded the pistol at scene. The magazine was fully inserted, the hammer of the pistol was not cocked, and the safety was on. One .380

caliber round was removed from the chamber, and seven additional rounds were removed from the magazine (Addendum No. 13).

<sup>48</sup> FID Addendum No. 12, Page 15, County of Los Angeles Autopsy Report #2020-03822.

The investigation revealed Bravo's pistol was reported lost by the registered owner to San Bernardino County Police Department on December 21, 2017 (Addendum No. 14).

Criminalist Shirasaki collected swabs for the purpose of storage for DNA collection from the pistol, the magazine, the live cartridge removed from the chamber of the pistol and the seven additional live cartridges removed from the magazine (Addendum No. 15).

In his report, finalized on August 28, 2020, FSD, FAU Criminalist II Jacob Seror, Serial No. N4571, indicated that when he initially received Bravo's pistol, it was not functional due to severe rusting. During the test fire, the firearm audibly clicked when the trigger was pulled; however, the cartridge did not fire. Criminalist Seror determined that the rust prevented the firing pin from having enough energy to fully strike the primer of the cartridge.

Criminalist Seror subsequently field stripped and lubricated the firearm. The firearm was reassembled and successfully test fired and determined to be functional. The fired cartridge cases were entered into the National Integrated Ballistic Information Network (NIBIN) database by FAU staff (Addendum No. 16).

**Officer Coyle** was armed with his Department-authorized Glock, 9mm, Model 34 semi-automatic pistol. The pistol had an attached Surefire X300 tactical light. The capacity of the weapon, when fully loaded, was 17 rounds in the magazine and one round in the chamber for a total of 18 rounds. According to Officer Coyle, the pistol was loaded to capacity with 18 rounds of Department-approved ammunition at the time of the OIS.

On May 1, 2020, at approximately 0445 hours, FID Detective Alberto Rosa, Serial No. 26598, conducted a post-incident examination of Officer Coyle's pistol. He determined that the firearm was loaded with one round of Department authorized Speer LE Gold Dot, 9mm, 147 Grain ammunition in the chamber and 17 rounds in the magazine, for a total of 18 rounds. According to Officer Coyle, he conducted a tactical reload, after the OIS, and placed the used magazine into the left pocket of his cargo pants. Detective Rosa determined that the magazine from Officer Coyle's cargo pocket contained ten round of Speer LE Gold Dot G2, 9mm, 147 grain ammunition. The third magazine, recovered from his magazine pouch, was loaded to capacity with 17 rounds of Department-approved ammunition. This information was consistent with the physical evidence indicating that Officer Coyle discharged a total of seven rounds. Officer Coyle's pistol was entered into the Firearm Inventory Tracking System (FITS) on May 22, 2018.

On May 21, 2020, FSD, FAU, Criminalist II Matt Saucedo, Serial No. N4688, completed a report documenting the test firing of Officer Coyle's service pistol. The trigger pull value was within the Department's established range (Addendum No. 17).

**Officer Ruiz** was armed with his Department-authorized Smith and Wesson, 9mm, Model M&P9 semi-automatic pistol. The pistol had an attached Surefire X300 tactical

light. The capacity of the weapon, when fully loaded, is 17 rounds in the magazine and one round in the chamber for a total of 18 rounds. According to Officer Ruiz, at the time of the OIS, his pistol was loaded to capacity with 18 rounds of Department-approved ammunition at the time of the OIS.

On May 1, 2020 at approximately 0511 hours, Detective Rosa conducted a post-incident examination of Officer Ruiz's pistol. He determined that the firearm was loaded with one round of Department authorized Speer LE Gold Dot, 9mm, 147 Grain ammunition in the chamber and 16 rounds in the magazine, for a total of 17 rounds. Officer Ruiz possessed two additional magazines on his Sam Browne, which were each loaded to capacity with 17 rounds of the same Department-approved ammunition. This information was consistent with the physical evidence indicating that he had fired a total of one round. Officer Ruiz's pistol was entered into the Firearm Inventory Tracking System (FITS) on October 6, 2016.

On June 5, 2020, FSD FAU Criminalist II Annette Woiwode, Serial No. N4427, completed a report documenting the test firing of Officer Ruiz's service pistol. The trigger pull value was within the Department's established range (Addendum No. 18,)

### **Firearms Analysis**

On May 1, 2020, Criminalists Biraimah, Tan and Shirasaki conducted an examination of the OIS scene for ballistic impacts, trajectories and projectiles. Their examination did not locate any ballistic impacts or trajectories.

On August 4, 2020, FSD FAU Criminalist I Trisha Ariyasu, Serial No. N4729, completed a Type and Caliber Examination report of a fired bullet which fell from Bravo's clothing after he was moved, and was collected from the sidewalk from the northwest corner of East 23<sup>rd</sup> Street and Wall Street. The examination of the fired bullet, item number 13, determined that it was fired from Officer Coyle's pistol.

Criminalist Ariyasu also completed a type and caliber inspection from fired bullet fragments collected from Bravo's neck, chest, abdomen and right thigh during the post-mortem examination.

Criminalist Ariyasu determined that the bullets collected from the gunshot wounds to Bravo's neck, chest and abdomen exhibited characteristics consistent with bullets test fired from Officer Coyle's pistol. The bullet collected from Bravo's right thigh was consistent with bullets test fired from Officer Ruiz's pistol.

Criminalist Ariyasu also inspected a .380 Auto caliber round removed from the chamber of Bravo's pistol for a firing pin strike. The round did not exhibit a visible light firing pin strike (Addendum No. 19).

The investigation determined that Bravo did not discharge the handgun during the incident.

## **Visual Documentation**

### **Digital In-Car Video System (DICVS)**

Officers Coyle and Ruiz's police vehicle, Shop 81579, was equipped with DICVS. Officers Coyle and Ruiz's DICVS captured the occupants inside the black BMW and the exiting of all the occupants. The DICVS did not capture the OIS.

The investigation determined that no DICVS captured the OIS, and the DICVS of responding officers did not contain significant evidentiary value.

### **Body Worn Video (BWV)**

The BWV of the officers mentioned in this administrative summary were reviewed in their entirety by FID investigators. The following is a brief synopsis of those determined to contain evidentiary value:

Officers Coyle and Ruiz's BWVs each captured a portion of their actions during the initial encounter with the driver of the Mercedes. Officer Ruiz's BWV was activated just prior to the stop of the BMW and captured the OIS. Officer Coyle's BWV was activated following the OIS; however, the two-minute buffer captured the OIS in its entirety without audio.

Officers Urrutia and Tracey's BWV captured portions of the tactical planning to handcuff Bravo, the approach of the arrest team, and subsequent medical treatment of Bravo.

The BWVs of Officers Mauro Garcia, Sanko, and Blanco captured the handcuffing of Bravo, their movement of Bravo, and portions of the medical aid provided by LAFD.

The BWVs of Sergeants Koval, Contreras, Hines and Blanco captured portions of the monitoring of Officers Coyle and Ruiz and command and control of the scene.

The BWV of Police Officers III Hans Almaraz, Serial No. 27559, Steven Wills, Serial No. 33368, and Maricela Corral, Serial No. 40625, captured portions of the K9 contact and the arrest of Hernandez.

The BWV of Police Officers III Alvaro Governale, Serial No. 40360, and Steven Carnevale, Serial No. 27920, captured the arrest of Villegas.

## **Social Media**

Personnel assigned to FID's Cyber Unit monitored social media sites from the date of the incident until the submission of this investigation. There was no additional evidence, information or witnesses identified via social media.

## **Other Department Video**

There are no other Department videos of this incident.

## **Outside Video**

Force Investigation Division investigators identified and obtained three security videos from two businesses and one residence in the surrounding area.

Security video was obtained from Offline Clothing Warehouse located at 2250 Maple Avenue. The structure's rear video camera, located on its south west corner, pointed in a westerly direction at Wall Street. This video captured the west sidewalk in front of 2219 Wall Street, along with both lanes of traffic north of the stop sign at Wall Street north of East 23<sup>rd</sup> Street. The video captured Villegas entering the BMW, the initial contact by the officers with the BMW and Mercedes, and the BMW and police vehicle as they drove north on Wall Street and into the alley. The video did not capture the OIS. The video footage is stored under Digital Control (A) No.A758806 and is contained in the FID case file and available for review.

Security video was obtained from El Charrito Market located at 501 East 23<sup>rd</sup> Street; however, the camera was pointed in a northerly direction and did not capture the OIS. The video footage is stored under Digital Control (A) Nos. 2001344/A758805 and is contained in the FID case file and available for review.

Security video was obtained from the residence at 2224 Wall Street. The security camera, which faced west, captured the K9 search team entering the driveway of the residence; however, it did not capture the OIS or K9 contact. The video footage is stored under Digital Control (A) No. A758807 and is contained in the FID case file and available for review.

**Note:** FID investigators also located a pole camera at East 23<sup>rd</sup> Street and Wall Street; however, it was determined the camera was not operational on the date of the incident.

## **Photographs**

Technical Investigation Division (TSD), Photographers III Francisco Govea, Serial No. N5606, and Garry Brod, Serial No. N1328 responded to the scene. Photographs of the OIS scene and associated evidence are stored under Digital Control (D) Nos. 0797336, 0797269, 0797124 and 0797127.

## **Notifications**

At approximately 2210 hours, Department Operations Center (DOC) was notified of the Categorical Use of Force.

## **Personnel at Scene**

Detective III Luis Alarcon, Serial No. 30383, was the first representative from FID to arrive at scene at approximately 2345 hours. Crime scene logs documenting additional personnel at the location are contained within the FID case file and are available for review.

## **Communications**

The computer-generated incident recall printouts associated with this occurrence (Incident Nos. 2004300006096, 2004300006156 and 2004300006589), are on file in the FID casebook (Addendum No. 20).

Copies of CD master tapes for Newton Division Frequency, Citywide Tac 1 Channel 43, and emergency telephone calls (911) are on file at FID.

## **Justice System Integrity Division**

This case will be presented to the Justice System Integrity Division (JSID) after the completion of this administrative report.

## **Investigators' Notes**

1. At approximately 2141:25 hours, Officer Blanco's BWV captured him unholster his pistol with his right hand while seated in the passenger seat, still en route to the call, approximately six seconds before arriving at scene. According to Officer Blanco, he held the pistol on his right thigh with his finger along the frame. According to Officer Blanco, he unholstered due to the shots fired radio call and believing the situation may escalate to the use of deadly force.
2. The investigation determined that Officers Martin Garcia, Holstein, Braun, Salcedo, Viduare and Zuniga arrived after the OIS, did not use force on Bravo, and were not substantially involved in the incident. Therefore, they were not interviewed by FID.
3. On the night of the incident, FID concluded that Jose Hernandez did not shoot at Officers Coyle and Ruiz and he was not involved in the actual Categorical Use of Force (CUOF). He was taken into custody several hours later by K9 officers, who were also not involved in the CUOF.

Since Hernandez's K9 contact did not require hospitalization, and did not meet the criteria for a CUOF, FID determined that the K9 contact would be handled by Metropolitan Division as a K9 contact through their normal reporting protocols.

The specific facts related to the K9 search announcements, K9 contact, Hernandez's injuries, and subsequent K9 Deployment Report can all be reviewed under Metropolitan Division K9 Contact No. 20-0108.

The BWVs of Police Officers III Hans Almaraz, Serial No. 27559, Steven Wills, Serial No. 33368 and Maricela Corral, Serial No. 40625, captured portions of the K9 contact and the arrest of Hernandez and are available for review within the distributed case file and on Evidence.com. The BWVs of Police Officers III Alvaro Governale, Serial No. 40360 and Steven Carnevale, Serial No. 27920, captured the arrest of Villegas and are available for review within the distributed case file and on Evidence.com.

4. The investigation revealed the following BWV/DICVS deviations:

- Central Division Sergeant I Luis Contreras had a late BWV activation. He responded Code Three to the incident; however, his BWV was not activated until he arrived at scene. According to Sergeant Contreras, he did not have a rationale for not activating his BWV during his Code Three response.
- The investigation determined that Officer Ruiz left his DICVS microphone in the cup holder of his driver's door. According to Officer Ruiz, he had taken it off to eat, and forgot to put it back on his belt.
- The investigation determined that Officer Ruiz activated his BWV after his initial contact with the BMW and Mercedes, but prior to the OIS. Officer Coyle activated his BWV just after the OIS occurred; however, the OIS was captured during his buffer period. Based on their rationale provided within this investigation, the officers activated their BWVs as soon as it was practical and safe to do so.

5. Officers Urrutia and Tracey each indicated in their interviews with FID that they viewed their BWV prior to their interview, without FID present. However, at the time they viewed their videos, FID had not yet identified them as significantly involved in the incident and had not yet restricted their BWVs in Evidence.com. Additionally, they had not yet been admonished by a Department supervisor not to review their videos.

On October 6, 2020, Force Investigation Group, Commanding Officer, Commander Timothy T. Norquist, Serial No. 35492, informed Office of Operations of the above BWV and DICVS issues.

## CHIEF OF POLICE REPORT<sup>49</sup>

### Chief of Police Findings

**Tactics** – Administrative Disapproval, Officers Ruiz and Coyle.

**Drawing/Exhibiting** – In Policy, No Further Action, Officers Ruiz and Coyle.

**Lethal Use of Force** – In Policy, No Further Action, Officers Ruiz and Coyle.

### Chief of Police Analysis

#### **Detention**

- Officers Ruiz and Coyle were in the area of 23<sup>rd</sup> Street and Wall Street, which is frequented by the Primera Flats gang. They observed two vehicles they believed to be involved in a gang related crime. As the officers repositioned their police vehicle, the second vehicle reversed and collided with a parked vehicle. The suspect vehicle then fled into a dead-end alley. The officers activated their forward-facing red light and audible siren with the intent to detain the driver for a hit and run incident. As the suspect vehicle stopped, all three suspects exited the suspect vehicle and fled on foot. The front passenger, Bravo, ran towards the Officer Coyle's direction while retrieving a handgun from his waistband area. Bravo dropped his handgun and as he retrieved it from the ground resulting in an OIS incident. The other occupants who fled from the location were located within a containment perimeter and also taken into custody. The actions of detaining Bravo, and the other occupants of the vehicle during this incident were appropriate and within Department policies and procedures.

#### **Tactics**

- Department policy relative to a Tactical Debrief is: "*The collective review of an incident to identify those areas where actions and decisions were effective and those areas where actions and decisions could have been improved. The intent of a Tactical Debrief is to enhance future performance.*"

Department policy relative to Administrative Disapproval is: "*A finding, supported by a preponderance of the evidence that the tactics employed during a CUOF incident unjustifiably and substantially deviated from approved Department tactical training.*"

*The evaluation of tactics requires that consideration be given to the fact that officers are forced to make split-second decisions under very stressful and dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific, which requires that each incident be looked at objectively and the tactics be*

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<sup>49</sup> The information provided in this section summarizes the analysis and findings set forth in the Chief of Police's report for this case.

*evaluated based on the totality of the circumstances. (Los Angeles Police Department Manual, Volume 3, Section 792.05).*

## Tactical De-Escalation

- *Tactical de-escalation involves the use of techniques to reduce the intensity of an encounter with a suspect and enable an officer to have additional options to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation.*

### Tactical De-Escalation Techniques

- **Planning**
- **Assessment**
- **Time**
- **Redeployment and/or Containment**
- **Other Resources**
- **Lines of Communication (Los Angeles Police Department, Use of Force - Tactics Directive No. 16, Tactical De-Escalation Techniques, October 2016).**

Tactical de-escalation does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. De-escalation techniques should only be used when it is safe and prudent to do so.

**Planning** – Prior to the day of the OIS, Officers Ruiz and Coyle had worked together as regular partners for approximately five months and had numerous discussions regarding tactics. The discussions have included, but were not limited to, concept of contact and cover, vehicle stops, foot pursuits, and radio communications. Officers Ruiz and Coyle had agreed that the driver of the police vehicle would normally be the contact officer and the passenger would normally be the cover officer. However, these roles could switch depending on the situation. Throughout their time working together, Officers Ruiz and Coyle would debrief their performance in past tactical situations and discuss improvements to their current work patterns.

The UOFRB discussed that while Officers Ruiz and Coyle were presented with a rapidly evolving situation, they had not discussed or formulated a tactical and/or investigatory plan for their initial approach of the stopped vehicles. Although Officers Ruiz and Coyle proceeded to discuss requesting an additional unit after Officer Ruiz redeployed the police vehicle, this planning was initiated with a delay. Due to their ongoing investigatory actions taking place concurrently with their planning for the investigatory stop, Officer Ruiz and Coyle split their attention between multiple tasks and in a shortened time frame to the BMW's rapid reversal. This did not allow sufficient time to formulate and implement a plan to deal with the situation that presented itself. The UOFRB would have preferred that Officers Ruiz and Coyle had utilized the limited time available to them to place themselves Code Six, request additional units, and/or communicate with each other in order to effectively conduct an investigative stop prior to initiating enforcement actions.

**Assessment** – Officers Ruiz and Coyle assessed throughout their investigatory stop, during the OIS, and during their tactics after the OIS. When Officers Ruiz and Coyle observed the two vehicles stopped on Wall Street, they immediately began to investigate and assess the condition of the two vehicles. Officers Ruiz and Coyle utilized their flashlights and vehicle mounted spotlight to illuminate the interior of the Mercedes and BMW. By utilizing their various white light sources, Officers Ruiz and Coyle were able to observe that the occupants of the BMW had facial tattoos, wore a bandana over the lower part of their face, and that there was a significant amount of movement occurring in the vehicle. These observations led Officers Ruiz and Coyle to believe that the occupants were local “Primera Flats” gang members. Officers Ruiz and Coyle also assessed the condition of the driver of the Mercedes during this time. They observed that the driver was sweating, appeared scared, and was visibly shaking. All of these observations led Officers Coyle and Ruiz to believe that the occupants of the BMW were “hitting up” the occupants of the Mercedes and showing the dominance of “Primera Flats”. This conclusion was strengthened by the presence of fresh graffiti for the “Primera Flats” street gang on a building along the east side of Wall Street.

After Officers Ruiz and Coyle followed the BMW in the alley, they both assessed the actions of Bravo, Villegas, and Hernandez. Villegas and Hernandez were observed fleeing and did not pose an active threat to Officers Ruiz and Coyle. However, both Officers Ruiz and Coyle observed that Bravo ran towards Officer Coyle while gripping his waistband. Bravo’s action of running toward Officer Coyle and gripping his waistband led Officers Ruiz and Coyle to believe that Bravo was armed with a handgun and was intent on attacking Officer Coyle.

Officer Coyle utilized his sense of sight and sound during his assessment of Bravo. He visually observed that Bravo was holding his waistband and removed a handgun from the same location. Officer Coyle stated that after Bravo dropped his handgun, Officer Coyle heard the sound of metal striking a hard surface when the handgun fell to the ground which led him to believe it was a real handgun and not an airsoft or replica handgun.

As Officer Ruiz lost sight of Officer Coyle and Bravo due to being on the driver’s side of the police vehicle, so he began to move east, toward the rear of his vehicle. Officer Ruiz heard nervousness in Officer Coyle’s voice and heard Officer Coyle state, “Drop the gun, drop the weapon!” Officer Ruiz heard approximately three shots being fired, so he unholstered his pistol and held it in a two handed shooting position. As Officer Ruiz came out from behind the police vehicle, Officer Ruiz observed Bravo bent over at the waist, holding a handgun in his right hand. Because Officer Ruiz had already heard shots being fired, he believed Bravo had fired at Officer Coyle. According to Officer Ruiz, Bravo was turning his torso and shoulders east, looking back in his direction, and bringing the handgun up between his torso and shoulders. Based on Bravo’s actions, Officer Ruiz believed Bravo was trying to acquire him and Officer Coyle as a target and intended to shoot at them.

The UOFRB was critical of Officer Ruiz's placement of the police vehicle as he assessed the incident and followed the BMW into the alley. Both Officers Ruiz and Coyle stated that they were aware that the alley was a dead-end alley and offered no avenue of exit for a vehicle. It would have been preferable that Officer Ruiz followed high risk vehicle pullover procedures and not approached the BMW as closely as he did. However, the UOFRB also noted that the situation was rapidly evolving and that the BMW's sudden stop may have caused Officer Ruiz to stop closer than he would have given proper time to assess the situation.

**Time** – The time from Officers Ruiz and Coyle initiating contact with the Mercedes driver and the last round discharged in the OIS was approximately 50 seconds. This compressed time frame caused by Hernandez and Bravo's actions limited Officers Ruiz and Coyle's opportunity to utilize de-escalation techniques.

The UOFRB noted that the entire incident developed rapidly and ended with Officer Ruiz and Coyle being presented with a perceived threat of death or serious bodily injury. This led to a lack of time to utilize alternative de-escalation techniques.

**Redeployment and/or Containment** – Officers Ruiz and Coyle initially observed the Mercedes and BMW stopped at a stop sign. Officer Ruiz stopped his police vehicle alongside the Mercedes as he assessed the situation. Based on his observations and belief that a crime had occurred or was about occur, Officer Ruiz reversed their police vehicle and reposition it in a slight northwest direction, angled toward the front hood of the Mercedes. According to Officer Ruiz, he stopped his vehicle approximately 12 feet away from the Mercedes.

During the OIS, Officer Coyle was cognizant of Villegas and Hernandez fleeing in a northwesterly direction. He was also aware that Bravo was running easterly and that the movements of these two groups of potentially armed suspects placed him at a disadvantage due to his position between each group, without suitable cover from both. In response to his loss of appropriate cover, Officer Coyle attempted to redeploy to the driver side of the police vehicle to utilize it as cover prior to the OIS occurring.

The UOFRB discussed that it would have been preferable for Officer Ruiz, upon his initial approach of the two vehicles, to bypass the Mercedes and BMW and assume a position of advantage behind the BMW. However, the UOFRB also weighed the dangers associated with driving next to a potentially armed suspect and noted that Officer Ruiz redeployed his vehicle so that the engine compartment and ballistic door panels of their police vehicle were facing the Mercedes and BMW, thus providing cover for Officers Ruiz and Coyle.

**Other Resources** – During the initial investigatory stop, Officer Ruiz reoriented the police vehicle towards the Mercedes and BMW, at which point he and Officer Coyle began to discuss requesting additional units to assist them in their investigatory traffic stop. However, simultaneous to the beginning of their discussion on additional

units, the BMW reversed away from them causing Officers Ruiz and Coyle to re-enter their police vehicle and follow the fleeing BMW. After observing the BMW collide with two parked vehicles, Officer Ruiz followed the BMW into an adjacent alley. As he Officers Ruiz and Coyle entered the alley, Officer Ruiz instructed Officer Coyle to request a backup to summon emergency assistance. After the OIS, Officer Coyle broadcast a shots fired help call.

The UOFRB discussed that they would have preferred Officer Coyle to broadcast his back-up request when the BMW reversed or when the BMW collided with the parked vehicles, prior to entering the alley and attempting to detain the occupants of the BMW.

**Lines of Communication** – When Officer Ruiz followed the fleeing BMW into the alley, he advised Officer Coyle to request a back-up. Officer Ruiz then exited his police vehicle and issued a verbal command to the occupants of the BMW. The occupants of the BMW did not follow Officer Ruiz's verbal command and fled from the vehicle. When Bravo ran towards Officer Coyle, Officer Coyle ordered Bravo to drop his handgun. Bravo disregarded Officer Coyle's command.

The UOFRB was critical of Officers Ruiz and Coyle's communication prior to their investigative stop. Officers Ruiz and Coyle did not discuss their observations or what they intended to do regarding the two stopped vehicles. The UOFRB board would have preferred that Officers Ruiz and Coyle had communicated with each other and formulated a plan to initiate an investigatory stop, including placing themselves Code Six and properly positioning their police vehicle. Additionally, the UOFRB would have preferred that Officer Coyle broadcast the back-up request prior to attempting to stop the BMW in the alley. The UOFRB additionally noted neither officer communicated their observations that Bravo was armed with a handgun, but the UOFRB also took into consideration how rapidly the incident unfolded.

- During the review of the incident, the following Debriefing Topics were noted:
- **Code Six** (Substantial Deviation, without Justification – Officers Ruiz and Coyle)

*When a unit is conducting a field investigation and no assistance is anticipated, a "Code Six," followed by the location, shall be broadcast. A unit shall not go "Code Six" until it arrives at the scene of a call.*

*Units on "Code Six" status shall remain available for reassignment to priority calls by monitoring their radio frequencies. A unit on "Code Six" status may indicate to the dispatcher additional circumstances, which will make the unit unavailable for assignment to a priority call. These circumstances may include:*

- *Suspect in custody;*
- *Primary unit at a crime scene; and/or,*
- *Required at a Back-up, assistance, or help location.*

**Note:** *The unit shall notify the dispatcher as soon as it is again available for radio calls (Los Angeles Police Department Manual, Volume 4, Section 120.40).*

Officers Ruiz and Coyle did not broadcast a Code Six location when they initiated their investigation into possible gang related vandalism in the area of 23<sup>rd</sup> Street and Wall Street involving two stopped vehicles.

When Officers Ruiz and Coyle made a right turn from westbound 23<sup>rd</sup> Street to northbound Wall Street, they observed a black Mercedes sedan stopped facing southbound on the north side of the Wall Street and 23<sup>rd</sup> Street intersection. A black BMW Sport Utility Vehicle was stopped directly behind the Mercedes sedan.

According to Officer Ruiz, the area of 23<sup>rd</sup> Street and Wall Street is an area of high gang activity and was the founding area for the “Primera Flats” street gang. The surrounding area had fresh spray painting for the Primera Flats street gang. In addition, Officer Ruiz observed facial tattoos on the occupants of the vehicles and this led him to believe they were gang members. The driver of the Mercedes Benz had a fearful expression on his face as he sat in his vehicle that was stopped at the intersection. The facial tattoos, the fresh spray painting of the word “Flats”, and the fearful expression on the driver of the Mercedes led Officer Ruiz to believe the occupants of the vehicles were involved in “tagging” and “hitting up” people for the Primera Flats street gang. Officer Ruiz stopped his police vehicle in the northbound lanes of Wall Street, so that the hood of his police vehicle and the hood of the Mercedes sedan were side by side. Officer Ruiz then proceeded to question the driver of the Mercedes Benz as to whether the occupants of the BMW had demanded to know if he was affiliated with a criminal street gang. Officer Ruiz then reversed his police vehicle and reoriented it in a northwesterly direction facing both vehicles. Officer Ruiz opened the door to his police vehicle, stepped out, and stood behind the open door of his police vehicle.

According to Officer Coyle, when he and Officer Ruiz approached the stopped vehicles, the driver of the Mercedes Benz looked fearful and was shaking and sweating. The occupants of the BMW had shaved heads, tattoos and looked like local Primera Flats gang members. The surrounding area also had fresh “tagging” for the Primera Flats street gang. As Officer Ruiz questioned the driver of the Mercedes, Officer Coyle believed that the driver of the Mercedes might be a victim of a gang crime that had just occurred. Officer Coyle stated that he did not broadcast his Code Six location because he was concerned about the “urgency of the threat” and “to not lose sight of the suspects”.

Approximately 28 seconds passed after Officer Ruiz initiated contact with the Mercedes Benz driver, until the BMW reversed away from Officers Ruiz and Coyle’s police vehicle at a high speed.

The UOFRB discussed that Officers Ruiz and Coyle were uncertain of what was occurring when they initially approached the two stopped vehicles. Officers Ruiz

and Coyle were occupied with assessing the situation and the multiple involved individuals, both in the Mercedes and the BMW. Their assessment indicated that there were multiple possible gang members in the BMW and that the Mercedes driver appeared to be in fear. This magnified Officer Coyle's awareness that this was a dangerous situation with gang members who were possibly involved in a crime. Officer Coyle believed that they may possibly be armed, as, in his training and experience, gang members are frequently armed. Officer Coyle believed that he was unable to take his eyes off of the suspects in the vehicle in order to broadcast a Code Six location.

The UOFRB majority noted that even though the lack of a Code Six broadcast was concerning and should have been broadcast, it was understandable given the limited time that Officers Ruiz and Coyle had to assess the situation and respond to the actions of Villegas, Bravo and Hernandez.

The UOFRB minority reviewed the same set of facts and opined that Officers Ruiz and Coyle articulated that they were working in an area of high gang activity and they had experience patrolling this area. Officers Ruiz and Coyle initiated an investigation into a possible gang crime in progress. Despite the fact Officers Ruiz and Coyle were unsure of the exact crime that was being committed, they articulated that the occupants of the BMW posed a potential danger to the officers due to being gang members. Officer Coyle stated that the situation was exigent and that he did not feel comfortable taking his eyes off the perceived threat of the gang members inside the BMW. However, approximately 28 seconds, passed from the initiation of Officers Ruiz and Coyle's investigatory stop to the moment the BMW reversed. This window of time provided an opportunity, despite Officer Coyle's perception of an exigency, to broadcast a Code Six location. A Code Six broadcast would have placed Officers Ruiz and Coyle in an advantageous position in the event that the situation escalated and additional resources were necessary. The lack of a Code Six broadcast left the rest of the units working in the area unaware of Officers Ruiz and Coyle's exact location and their investigative efforts involving possible gang members. The lack of a Code Six broadcast placed Officers Ruiz and Coyle in a position of disadvantage when the incident escalated and hindered the response of additional units.

The UOFRB minority additionally noted that the lack of a Code Six broadcast continued into the latter part of the incident. As Officers Ruiz and Coyle followed the rapidly reversing BMW, they did not broadcast a Code Six location, nor did they broadcast a Code Six location when they observed the BMW collide into parked vehicles and flee without stopping to exchange insurance information. Both Officers Ruiz and Coyle stated they knew the alley that the BMW fled into was a dead end and Officer Ruiz stated that he intended to detain the BMW for hit and run investigation; however, a Code Six broadcast was not made. The back-up request was broadcast as the occupants of the BMW fled from the police vehicle. This led to Officers Ruiz and Coyle, without additional resources, attempting to detain a car with approximately three possible gang members inside.

Based on the totality of the circumstances, the UOFRB minority determined, and the Chief concurred, that Officers Ruiz and Coyle's lack of a Code Six broadcast was a substantial deviation, without justification, from approved Department tactical training. The Chief directed that this also be a topic of discussion during the Tactical Debrief.

- **Tactical Vehicle Deployment** (Substantial Deviation, with Justification – Officer Ruiz)

*Officers must approach every contact with officer safety in mind. Complacency, overconfidence, poor planning or inappropriate positioning can leave officers vulnerable to attack (California Commission on Peace Officer Standards and Training, Learning Domain 21).*

*When stopping one or more suspect(s) using the police vehicle; position the patrol vehicle to maximize officer safety for both officers (Los Angeles Police Department, Regular Basic Course, Tactics Lesson Plan, Pedestrian Stops, Pages 7-8, February 2003).*

Officers Ruiz and Coyle stopped their police vehicle alongside two vehicles they believe were involved in a gang related crime and spoke with the driver of one of the vehicles while seated inside of their police vehicle. When they made the decision to exit their police vehicle to further investigate, Officer Ruiz re-oriented their police vehicle from an offset, side by side, position to a diagonal position facing the front hood of the Mercedes vehicle. The distance between the involved vehicles and the police vehicle was approximately 12 feet.

The UOFRB discussed the positioning of Officer Ruiz and Coyle's police vehicle during both their initial investigation of the stopped Mercedes and BMW, in addition to the attempted traffic stop of the BMW in the alley. During the initial investigation of the vehicles, the UOFRB noted Officers Ruiz and Coyle's assessment of the occupants of the BMW. The officers believed they were possible gang members and that they were possibly armed. This led to a discussion of the benefits of redeploying the police vehicle from its initial position. The UOFRB requested input from a Subject Matter Expert (SME) from the Tactics Training Unit. The SME advised the UOFRB that the Department training for conducting a traffic stop when officers find themselves in a less than ideal position would be to bypass the emerging situation and re-approach in order to gain a position of advantage.

Although the UOFRB was critical of Officer Ruiz's positioning of the police vehicle, they also noted Officers Ruiz and Coyle's belief that the occupants of the BMW were possible gang members and that they possibly armed. In this particular case, the officers chose not to expose themselves further by driving by the BWV in a narrow street, which would have brought them closer to the threat they were investigating, and would have additionally exposed the back of their vehicle as they would have reset their traffic stop. The officers chose to reverse their police vehicle, reposition it

in a slight northwest direction, angled toward the threat, and utilize the police vehicle engine block and ballistic panels. While this position was not ideal, it allowed the officers to react to the incident in a timely manner, as the alternative would have possibly placed the officers in a position of disadvantage with the suspects located behind them as the officers attempted to redeploy.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred that Officer Ruiz's decision on the deployment of the police vehicle was a substantial deviation, with justification, from approved Department policy.

- **Occupying Moving Vehicle with Service Pistol Drawn** (Substantial Deviation, without Justification – Officer Coyle)

*Officers must approach every contact with officer safety in mind. Complacency, overconfidence, poor planning or inappropriate positioning can leave officers vulnerable to attack (California Commission on Peace Officer Standards and Training, Learning Domain 21).*

Officer Coyle drew his service pistol while still seated inside of his police vehicle. He then attempted to broadcast a back-up request and open his door while maintaining his service pistol in his primary hand. Officer Coyle was delayed and hindered in these efforts by maintaining his service pistol unholstered during the vehicle following of the BMW.

Due to the BMW reversing away at a high speed, Officer Coyle drew his service pistol because he believed that the driver might shift gears into drive and ram his police vehicle. Officer Coyle then kept his service pistol unholstered as he and Officer Ruiz followed the BMW. This led to Officer Coyle being unable to utilize his primary hand to broadcast a back-up request or open his door properly at the termination of the following of the BMW. Officer Coyle was delayed in broadcasting a back-up once in the alley. This delayed broadcasting led to Officer Coyle remaining in the police vehicle to finish his broadcast, instead of exiting quickly to confront Bravo. As Officer Coyle exited his police vehicle, he utilized his primary hand, which was still holding his service pistol, to push open the door of the police vehicle. This greatly increased his chances of having a negligent discharge with his service pistol.

The UOFRB reviewed the circumstances of the incident and was critical of Officer Coyle's unholstering of his service pistol and the keeping of his service pistol unholstered during the vehicle following of the BMW. Officer Coyle's service pistol hindered Officer Coyle's ability to make any broadcasts in response to the BMW's actions. The unholstering of his service pistol also limited Officer Coyle's ability to react to the dynamic incident. The UOFRB also reviewed the policy regarding the Shooting at Moving Vehicles and discussed that a moving vehicle alone shall not

presumptively constitute a threat that justifies deadly force.<sup>50</sup> Furthermore, the UOFRB noted that the possibility of a negligent discharge increased as Officer Coyle remained unholstered and had been involved in a traffic collision or the vehicle following evolved into a vehicle pursuit. The UOFRB also noted that as Officer Coyle kept his service pistol unholstered, it hindered his ability to safely exit his police vehicle in response to Bravo running towards him. Officer Coyle pushed his door open with the same hand he was using to maintain control of his service pistol. This greatly amplified the risk of a negligent discharge as Officer Coyle exited the police vehicle due to his attention being divided between multiple tasks.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that Officer Coyle's actions placed him in a tactically disadvantageous position and therefore was a substantial deviation, without justification, from approved Department tactical training. The Chief directed this topic be discussed during the Tactical Debrief.

- **Crossfire** (Substantial Deviation, with Justification – Officer Ruiz)

*Does the surrounding area provide a clear background/foreground? Officers must be aware of where the bullet will go and where it may stop. Officers should not fire under conditions that would subject bystanders to death or possible injury, except in Imminent Defense of Life or to prevent serious bodily injury (Standardized Roll Call Training Program, Deployment Period No. 8/2007).*

Officer Ruiz discharged his service pistol while Officer Coyle was in the vicinity of Officer Ruiz's foreground.

After Bravo, Villegas, and Hernandez fled from the BMW, Officer Ruiz lost sight of Officer Coyle and Bravo due to being on the driver's side of the police vehicle, so he began to move east, towards the rear of his vehicle. Officer Ruiz heard nervousness in Officer Coyle's voice and heard Officer Coyle state, "Drop the gun, drop the weapon!" Officer Ruiz heard approximately three shots being fired. As Officer Ruiz came out from behind the police vehicle, Officer Ruiz observed Bravo bent over at the waist, holding a handgun in his right hand. According to Officer Ruiz, Bravo was turning his torso and shoulders east, and looking back in their direction, and bringing the handgun up between his torso and shoulders. Because Officer Ruiz had already heard shots being fired, he believed Bravo had fired at Officer Coyle. Based on Bravo's body positioning, Officer Ruiz believed Bravo was trying to acquire him and Officer Coyle as a target and intended to shoot at them. In order to protect his life and the life of his partner, Officer Ruiz aimed his pistol at Bravo and discharged one round. Immediately after Officer Ruiz discharged his single round, he observed Officer Coyle to his left and moving to the east, approximately three to four feet in front of him. According to Officer Ruiz, he immediately lowered his muzzle to avoid

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<sup>50</sup> Office of the Chief of Police, Special Order No. 1, February 16, 2005 "Shooting at or From Moving Vehicles Policy."

a crossfire situation. Once Officer Coyle passed to Officer Ruiz's right-hand side, Officer Ruiz once again brought his service pistol up to a low ready, orientated toward Bravo, and assessed if Bravo continued to pose a threat to him and Officer Coyle.

The UOFRB reviewed the footage from Officer Ruiz's BWV and his statements regarding his knowledge of Officer Coyle's positioning during the OIS and his own muzzle direction. Officer Ruiz stated that he was aware of Officer Coyle's positioning and movement during the OIS and that he, Officer Ruiz, had taken necessary measures to ensure that he had not covered Officer Coyle with his service pistol. The UOFRB noted that the BWV footage was concerning because it depicted a possible crossfire situation in which Officer Coyle crossed in front of Officer Ruiz during the OIS. However, the UOFRB discussed the limitations and perspective difference between a chest-mounted BWV and the perspective of a police officer. The UOFRB also noted that the possible crossfire was momentary, Officer Ruiz depressed the muzzle of his service pistol to avoid covering Officer Coyle, and Officer Ruiz did not continue discharging his service pistol. Due to Officer Ruiz's statements that he was aware of Officer Coyle's movement and that he took precautionary measures to avoid crossfire and those actions being reflected in the BWV footage, the UOFRB discussed that the BWV could differ from Officer Ruiz's observations and thought process during the OIS. In addition, Officer Ruiz was responding to an imminent threat of serious bodily injury (SBI) or death.

**Note:** According to the FID investigation, the bullet that was recovered from Bravo's right thigh was consistent with the bullets test fired from Officer Ruiz's service pistol.<sup>51</sup>

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred that Officer Ruiz's actions were a substantial deviation, however, with justification, from approved Department policy.

### **Additional Tactical Debrief Topics**

- **Profanity** – When Officer Ruiz exited his police vehicle he utilized profanity when he gave commands to the occupants of the BMW. To enhance future performance, the Chief directed this to be a topic of discussion during the Tactical Debrief.

### **Command and Control**

- *Command and Control is the use of active leadership to direct others while using available resources to coordinate a response, accomplish tasks and minimize risk.*

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<sup>51</sup> On August 4, 2020, Criminalist I Trisha Ariyasu, Serial No. N74729, Forensic Science Division, Firearms Analysis Unit, completed a Type and Caliber Examination Report. Criminalist Ariyasu determined the bullet collected from Bravo's right thigh was consistent with bullets test fired from Officer Ruiz's service pistol.

*Command uses active leadership to establish order, provide stability and structure, set objectives and create conditions under which the function of control can be achieved with minimal risk. Control implements the plan of action while continuously assessing the situation, making necessary adjustments, managing resources, managing the scope of the incident (containment), and evaluating whether existing Department protocols apply to the incident.*

*Command and Control is a process where designated officers use active leadership to command others while using available resources to accomplish tasks and minimize risk. Active leadership provides clear, concise, and unambiguous communication to develop and implement a plan, direct officers and manage resources. The senior officer or any person on scene who has gained sufficient situational awareness shall initiate Command and Control and develop a plan of action. Command and Control will provide direction, help manage resources, and make it possible to achieve the desired outcome. Early considerations of PATROL will assist with the Command and Control process (Los Angeles Police Department, Training Bulletin, Volume XLVII Issue 4, July 2018).*

*Line Supervision – Defined. A supervisor who has the specific responsibility of issuing directions and orders to designated subordinates shall be considered as having the duty of line supervisor and shall be held accountable for achieving conformance with the directions and orders that he/she issues (Los Angeles Police Department Manual, Volume 3, Section 135).*

*Incident Commander (IC) – In accordance with Department Policy, the IC sets the objectives, the strategy and directs the tactical response. Directing the tactical response means applying tactics appropriate to the strategy, assigning the right resources and monitoring performance (Supervisor's Field Operations Guide, Volume 2, LAPD Emergency Operations Guide).*

Officer Urrutia was the first responding unit to the shots fired help call. Officer Urrutia met with Officers Ruiz and Coyle and learned that an OIS had occurred. Officer Urrutia broadcast a shots fired officer needs help broadcast and established a perimeter for the two outstanding suspects. After additional personnel arrived, Officer Urrutia facilitated the removal of Officers Ruiz and Coyle from the ongoing tactical situation and replaced them with other officers.

The actions of Officer Urrutia were consistent with Department training and the Chief's expectations of a senior officer during a critical incident.

Sergeant Koval was the first supervisor to arrive at the OIS scene and declared himself the Incident Commander (IC) over Newton base frequency. Sergeant Koval identified Officers Ruiz and Coyle as being the officers involved in the OIS. Sergeant Koval then directed Sergeants Hines and Blanco to separate, monitor and obtain Public Safety Statements (PSS) from Officers Ruiz and Coyle. Sergeant Koval verified if an RA had already been requested. When he was advised an RA

was not en route, he requested that an RA to respond. With the assistance of Sergeant Contreras, Sergeant Koval formulated a tactical plan and an arrest team to take Bravo into custody and provide medical attention to him.

Sergeants Hines and Blanco responded to the OIS incident. Sergeant Hines separated, monitored, and obtained a PSS Officer Ruiz. Sergeant Blanco separated, monitored, and obtained a PSS from Officer Coyle.

Sergeant Contreras responded to the OIS incident. Sergeant Contreras assisted with the formation of the arrest team and provided direction to the involved officers during the arrest of Bravo.

Lieutenant Jovel arrived shortly after Sergeant Koval. Lieutenant Jovel assumed the role of Incident Commander and relieved Sergeant Koval of his duties as the prior Incident Commander. Lieutenant Jovel directed the creation of a CP, the implementation of the Incident Command Systems (ICS), and notifications to Metropolitan Division. Lieutenant Jovel delegated tasks such as the physical arrest of Bravo, the monitoring of the involved officers and other logistical tasks to the multiple sergeants that responded to the help call.

The actions of Lieutenant Jovel, and Sergeants Koval, Hines, Blanco, and Contreras were consistent with Department supervisory training and the Chief's expectations of field supervisors during a critical incident.

## **Tactical Debrief**

- In conducting an objective assessment of this case, the UOFRB determined, and the Chief concurred, that Officers Coyle's tactics were a substantial deviation without justification from Department policy and training, thus requiring a finding of Administrative Disapproval.

In addition, the UOFRB minority determined, and the Chief concurred that Officer Ruiz's tactics were a substantial deviation, without justification, from Department policy and training, thus requiring a finding of Administrative Disapproval.

Each tactical incident also merits a comprehensive debriefing. In this case, there were identified areas where improvement could be made. A Tactical Debrief is the appropriate forum for the involved officers to discuss individual actions that took place during this incident.

**Note:** Additionally, the Tactical Debrief shall also include the following mandatory discussion points:

- Use of Force Policy;
- Equipment Required/Maintained;
- Tactical Planning;
- Radio and Tactical Communication (including Code Six);

- Tactical De-Escalation;
- Command and Control; and,
- Lethal Force.

### **General Training Update (GTU)**

- On May 7<sup>th</sup>, 2020, Officers Ruiz and Coyle attended a General Training Update (GTU) where all mandatory topics were covered.

### **Drawing/Exhibiting**

- Department policy relative to drawing and exhibiting a firearm is: “*An officer’s decision to draw or exhibit a firearm should be based on the tactical situation and the officer’s reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified*” (*Los Angeles Police Department Manual, Volume No. 1, Section 556.80.*)

**Officer Coyle** – According to Officer Coyle, when he and Officer Ruiz initially began investigating the stopped Mercedes and BMW, he observed that there were three male Hispanics with shaved heads and facial tattoos seated in the BMW. Officer Coyle believed that they resembled local Primera Flats gang members. He also observed that the driver of the Mercedes was sweaty and shaking and appeared very scared. Officer Coyle believed that the driver of the Mercedes was possibly a victim of gang crime perpetrated by Primera Flats gang members. Officer Coyle was concerned about the urgency of the threat and stated that he, “Didn’t want to lose sight” of the suspects when he and Officer Ruiz were speaking with the driver of the Mercedes. The BMW then reversed at a “high rate of speed.” Officer Coyle stated that he unholstered his service pistol because he believed the situation may escalate to the point where deadly force would have been justified. Officer Coyle believed there was a possibility that the suspect vehicle was going to drive towards him and Officer Ruiz and ram them. Officer Coyle’s belief stemmed from an incident where his partner had recently been rammed in the weeks before this incident.

Officer Coyle recalled,

*. . . the driver looked scared - - very scared. He was sweaty; he was shaking. And my partner asked, like, “Hey, did they hit you up? Did these guys behind me hit you up?” Like, “Where are you from?”<sup>52</sup>*

*But I’m looking at the car behind him, which has - - had approximately three suspects - - three people in the car - - Hispanic - - three Hispanic males. One had a*

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<sup>52</sup> Officer Coyle, Page 8, Lines 5-8.

*shaved head and tattoos. And then - - so - - looked like local Primera Flats gang members.<sup>53</sup>*

*. . . around right there was I was more concerned about the urgency of the threat right in front of me and not trying to lose sight of my suspects.<sup>54</sup>*

*And as soon as that vehicle started reversing, I draw and exhibit my firearm due to the reason I believed that the situation may escalate to the point where deadly force is justified because they are driving the vehicle back at a high rate of speed. I don't know if they're going to put it in drive and would ram us. My partner recently got rammed two weeks ago in one of his pursuits for a suspect.<sup>55</sup>*

*And knowing the area and frequenting that area, I know that that's a dead-end alley. You cannot go anywhere. So I know these guys are going to jump out of the car and bolt. So that's why I stay unholstered.<sup>56</sup>*

**Officer Ruiz** – According to Officer Ruiz, he unholstered his service pistol because he saw Bravo run toward Officer Coyle while holding what he believed to be a weapon inside his waistband. As Bravo ran towards Officer Coyle, Officer Coyle said, “Drop the weapon.” Officer Ruiz heard approximately three shots being fired and unholstered his service pistol. Officer Ruiz then lost sight of Officer Coyle and Bravo behind his police vehicle.

Officer Ruiz recalled,

*But then I see the rear passenger run towards my partner. I lose sight of my partner, and I lose sight of the suspect.<sup>57</sup>*

*I saw him holding a - - what I believe to be a weapon inside his waistband. As he ran towards my partner and he said, "Drop the weapon.<sup>58</sup>*

*Detective Robledo: Do you recall how many shots you heard?  
Officer Ruiz: I heard more than three at that point.<sup>59</sup>*

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<sup>53</sup> Officer Coyle, Page 7, Lines 20-24.

<sup>54</sup> Officer Coyle, Page 9, Lines 5-7.

<sup>55</sup> Officer Coyle, Page 8, Lines 18-24.

<sup>56</sup> Officer Coyle, Page 9, Lines 21-25.

<sup>57</sup> Officer Ruiz, Page 27, Lines 3-5.

<sup>58</sup> Officer Ruiz, Page 30, Lines 8-10.

<sup>59</sup> Officer Ruiz, Page 34, Lines 23-25.

*I unholstered my weapon to protect my partner's life and to protect my life.*<sup>60</sup>

The UOFRB conducted an evaluation of the reasonableness of Officers Ruiz and Coyle's drawing and exhibiting of their service pistols. The UOFRB would have preferred that Officer Coyle had not drawn his service pistol prior to initiating a high risk stop of the BMW. The UOFRB acknowledged that Officer Coyle believed that the incident involved members of a criminal street gang. Officer Coyle was presented with a rapidly developing tactical situation during which he was able to utilize his service pistol to address an immediate deadly threat posed by Bravo's actions. Officer Ruiz was presented with a rapidly escalating incident where he observed Bravo possibly armed with a weapon inside of his waistband, heard Officer Coyle state, "Drop the weapon," and heard three gunshots.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that an officer with similar training and experience as Officers Ruiz and Coyle, while faced with similar circumstances, would reasonably believe that there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

Therefore, the Chief found Officers Ruiz and Coyle's Drawing/Exhibiting to be In-Policy, No Further Action.

## **Policy on the Use of Force**

### **Use of De-Escalation Techniques<sup>61</sup>**

- *It is the policy of this Department that, whenever practicable, officers shall use techniques and tools consistent with Department de-escalation training to reduce the intensity of any encounter with a suspect and enable an officer to have additional options to mitigate the need to use a higher level of force while maintaining control of the situation.*

### **Factors Used to Determine Objective Reasonableness<sup>62</sup>**

- *The Department examines reasonableness using Graham v. Connor and the articulated facts from the perspective of a Los Angeles Police Officer with similar training and experience, in the same situation, based on the totality of the circumstances.*

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<sup>60</sup> Officer Ruiz, Page 30, Lines 20-21.

<sup>61</sup> Office of the Chief of Police (OCOP), Special Order No. 4, "Policy on the Use of Force - Revised," was adopted by the Department on February 5, 2020 and amended LAPD Manual, Volume 1, Section 556.10.

<sup>62</sup> Office of the Chief of Police (OCOP), Special Order No. 4, "Policy on the Use of Force - Revised," was adopted by the Department on February 5, 2020 and amended LAPD Manual, Volume 1, Section 556.10.

*In determining the appropriate level of force, officers shall evaluate each situation in light of facts and circumstances of each particular case. Those factors may include, but are not limited to:*

- *The feasibility of using de-escalation tactics;*
- *The seriousness of the crime or suspected offense;*
- *The level of threat or resistance presented by the subject;*
- *Whether the subject was posing an immediate threat to officers or a danger to the community;*
- *The potential for injury to citizens, officers or subjects;*
- *The risk or apparent attempt by the subject to escape;*
- *The conduct of the subject being confronted (as reasonably perceived by the officer at the time);*
- *The amount of time and any changing circumstances during which the officer had to determine the type and amount of force that appeared to be reasonable;*
- *The availability of other resources;*
- *The training and experience of the officer;*
- *The proximity or access of weapons to the subject;*
- *Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number officers versus subjects; and,*
- *The environmental factors and/or other exigent circumstances.*

### **Use of Force – Deadly<sup>63</sup>**

- *It is the policy of this Department that deadly force shall be used only when necessary in defense of human life. Specifically, deadly force shall be used only:*
  - *To defend against an imminent threat of death or serious bodily injury to the officer or to another person; or*
  - *To apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Where feasible, a peace officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.*

*In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible.*

**Note:** Because the application of deadly force is limited to the above scenarios, an officer shall not use deadly force against a person based on

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<sup>63</sup> Office of the Chief of Police (OCOP), Special Order No. 4, “Policy on the Use of Force - Revised,” was adopted by the Department on February 5, 2020 and amended LAPD Manual, Volume 1, Section 556.10.

*the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or another person.*

## The Department's Evaluation of Deadly Force<sup>64</sup>

- *The Department will analyze an officer's use of deadly force by evaluating the totality of the circumstances of each case consistent with the California Penal Code Section 835(a), as well as the factors articulated in Graham v. Connor.*
- **Officer Coyle** – 9mm, Glock Model 34, seven rounds, in two volleys, in a northeasterly direction from an increasing distance of approximately 12 to 17 feet.

**Note:** The FID investigation was unable to determine the exact number of rounds discharged in each volley.

**Volley One** – 9mm, three to four rounds in a northeasterly direction from an increasing distance of approximately 12 to 17 feet.

According to Officer Coyle, he observed Bravo running in his direction and “holding his waistband, as if he’s going to pull a weapon out from his waistband.” Officer Coyle dropped the microphone from his left hand and turned to his right to exit the vehicle. As Bravo ran on the sidewalk, Officer Coyle observed Bravo remove a blue-steel handgun from his waistband with his right hand. Officer Coyle believed Bravo was removing the handgun in an attempt to shoot him. As Bravo removed the handgun, Officer Coyle believed Bravo lost his grip, because the handgun went flying in front of him. Officer Coyle estimated that the gun slid approximately 12 feet in front of Bravo. Officer Coyle stated he knew it was a real handgun when he observed the glare from the light reflecting off the handgun as it was flying through the air and heard the steel hit the concrete when it hit the ground. When Bravo ran past him on the sidewalk, Officer Coyle estimated Bravo came within seven to ten feet of him. According to Officer Coyle, due to the fact Bravo just dropped a firearm, Officer Coyle moved east in the alley toward the rear of his police vehicle. Officer Coyle’s intent was to redeploy around the rear of his vehicle to be with Officer Ruiz on the driver’s side of the vehicle, since he no longer had the cover of his vehicle door. As Officer Coyle moved, he began to point his service pistol at the middle portion of Bravo’s back. As Bravo continued east and neared his handgun lying in the parkway, Bravo “reached down and grabbed” the handgun with his right hand. Believing that Bravo was going to shoot him or his partner, Officer Coyle discharged his first volley of approximately three to four rounds at the center of Bravo’s back. Officer Coyle stated he fired because Bravo, “had already presented the fact that he was going to pull a” handgun “and shoot” him, “because he already tried and dropped it.” Officer Coyle also stated that Bravo “had a chance” to run, but “instead

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<sup>64</sup> Office of the Chief of Police (OCOP), Special Order No. 4, “Policy on the Use of Force - Revised,” was adopted by the Department on February 5, 2020 and amended LAPD Manual, Volume 1, Section 556.10.

of running past" the handgun, Bravo "grabbed the" handgun "to shoot me and my partner."

Officer Coyle recalled,

*Holding his waistband, as if he's going to pull a weapon out from his waistband.*<sup>65</sup>

*This - - this suspect ran directly towards me, running full speed towards me, reaching into his waistband, looking right at me, and as soon as I went to put myself Code Six, I saw him reaching on his waistband, and that's when I threw my - - I threw my mic in front of shop, and I - - I tried to see - - and I redeployed out. And then that's when the suspect pulled a handgun in attempt to shoot me. And then as he was - - as he was gripping it, he lost - - he lost control of the handgun.*<sup>66</sup>

*I went to his right to get a better angle, because I know he just dropped a gun. He's just trying -- he just tried to kill me with that pistol.*<sup>67</sup>

*And as soon as - - and then instead of running past the pistol, he reached down and grabbed the pistol like - - like this.*<sup>68</sup>

*Once he picks up the gun with his right hand, I see him angle like this as he's going to turn and shoot me with the pistol.*<sup>69</sup>

*I see the pistol in his hand. And that - - at that time I fired approximately three rounds - - three full rounds.*<sup>70</sup>

*Because the suspect had already presented the fact that he was going to pull a pistol and shoot me, because he already tried and he dropped it. And he - - he had a chance - - he ran - - instead of running past the pistol, he grabbed the pistol at - - to shoot me and my partner.*<sup>71</sup>

*At that time I had no other option. I had no other option to do a less lethal due to the fact that there was a handgun right in front of me in the suspect's hand.*<sup>72</sup>

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<sup>65</sup> Officer Coyle, Page 21, Lines 19-21.

<sup>66</sup> Officer Coyle, Page 22, Lines 6-15.

<sup>67</sup> Officer Coyle, Page 27, Lines 1-4.

<sup>68</sup> Officer Coyle, Page 27, Lines 10-11.

<sup>69</sup> Officer Coyle, Page 28, Lines 20-22.

<sup>70</sup> Officer Coyle, Page 29, Lines 19-21.

<sup>71</sup> Officer Coyle, Page 32, Lines 18-23.

<sup>72</sup> Officer Coyle, Page 33, Lines 1-4.

*The suspect stood up after the volley of three -- the first volley of three to four rounds and made forward progress eastbound.<sup>73</sup>*

*And as I step out of the vehicle and go to the right, I see the suspect pull with his hand -- with his right hand a Blue Steel pistol out of his waistband in attempt to shoot me with it. And he drops the pistol as he's -- he loses grip of the pistol, and the pistol goes flying in front of him. And I see the -- I see the glare from the light reflecting off the pistol as it's flying through the air, and I hear it hit the ground, knowing that it's a real gun, because I heard the steel hit the concrete. So -- and then knowing that this suspect just tried to shoot me, the suspect runs eastbound and then reaches down with his right hand to pick up the pistol in attempt to turn around and shoot me. And -- excuse me. And to protect myself from an imminent threat of death, I fired approximately three rounds at the suspect, because the suspect was going to turn around and shoot me and my partner.<sup>74</sup>*

**Volley Two** –9mm, three to four rounds in a northeasterly direction from an approximate distance of 17 feet.

According to Officer Coyle, after his first volley, he quickly assessed and observed Bravo continue to run east while looking back, west, at him and Officer Ruiz, with the handgun still in Ruiz's right hand. Officer Coyle noted Bravo's body was bladed to right, with his left foot on the ground, and his right foot back toward their direction. Officer Coyle observed Bravo raise his right arm to shoulder level and point the handgun at him and Officer Ruiz. Officer Coyle stepped to his right as he aimed his service pistol at the right side of Bravo's chest and discharged a second volley of approximately three to four rounds at Bravo. When asked if he felt there was any other options other than to fire his second volley, Officer Coyle stated, "No. That handgun was pointed right at me and my partner. And if I didn't stop that threat, he was going to kill me and my partner."

Officer Coyle recalled,

*I assessed. And as I -- in that assessment, the suspect makes a right motion to look back at me. So he's running eastbound as -- after my reassessment of three to four rounds, the suspect looks westbound towards me and my partner with the pistol in his right hand. And I can see the shine -- like, the lighting -- I can see the shine off the pistol. I can identify it as a pistol. And I see the suspect pointing the weapon at me and my partner, so I then shot another volley of three to four rounds.<sup>75</sup>*

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<sup>73</sup> Officer Coyle, Page 36, Lines 9-11.

<sup>74</sup> Officer Coyle, Pages 10-11, Lines 11-3.

<sup>75</sup> Officer Coyle, Page 35, Lines 1-5.

*His arm -- right arm to -- like, a blade.<sup>76</sup>*

*-- towards me and my partner.<sup>77</sup>*

*The gun was level at his shoulder pointed towards me and my partner westbound in the alley.<sup>78</sup>*

*No. That handgun was pointed right at me and my partner. And if I didn't -- if I didn't stop that threat, he was going to kill me and my partner.<sup>79</sup>*

- **Officer Ruiz** – 9mm, Smith & Wesson M & P, one round in a northeasterly direction from an approximate distance of approximately 9 feet.

According to Officer Ruiz, he had lost sight of Officer Coyle and Bravo due to being on the driver's side of the police vehicle, so he began to move east, toward the rear of his vehicle. Officer Ruiz heard nervousness in Officer Coyle's voice and heard Officer Coyle state, "Drop the gun, drop the weapon!" Officer Ruiz heard approximately three shots being fired, so he unholstered his pistol and held it in a two handed shooting position. As Officer Ruiz came out from behind the police vehicle, Officer Ruiz observed Bravo bent over at the waist, holding a handgun in his right hand. According to Officer Ruiz, Bravo was turning his torso and shoulders east, and looking back in their direction, and bringing the handgun up between his torso and shoulders. Because Officer Ruiz had already heard shots being fired, he believed Bravo had fired at Officer Coyle. Based on Bravo's body positioning, Officer Ruiz believed Bravo was trying to acquire him and Officer Coyle as a target and intended to shoot at them. In order to protect his life and the life of his partner, Officer Ruiz aimed his pistol at Bravo's upper torso and lower shoulder area, and discharged one round. Immediately after Officer Ruiz discharged his single round, he observed Officer Coyle to his left and moving to the east, approximately three to four feet in front of him. According to Officer Ruiz, he immediately lowered his muzzle to avoid a crossfire situation.

Officer Ruiz recalled,

*And I begin to walk backwards to the rear of my vehicle when I hear my partner -- I can't recall exactly what he was saying, but in a loud tone and loud voice -- and having multiple experience with my partner, I know that he's a very -- very calm and very professional individual that I can hear the stress in his voice and the -- the*

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<sup>76</sup> Officer Coyle, Page 37, Lines 2-3.

<sup>77</sup> Officer Coyle, Page 37, Line 5.

<sup>78</sup> Officer Coyle, Page 37, Lines 22-23.

<sup>79</sup> Officer Coyle, Page 43, Lines 5-7.

*nervousness. So that made me nervous to hear my partner nervous, because I know how he - - he holds himself.<sup>80</sup>*

*He has a gun in his hand.<sup>81</sup>*

*...his two feet were still continuing eastbound, but his torso and upper body as well as his shoulders were trying to make a turn westbound. And with my training and experience, it makes me think that with the gun, they're trying to acquire a target behind them, which would be my partner and myself.<sup>82</sup>*

*I know that his - - his upper half is making a twisting motion and an upwards motion towards my partner.<sup>83</sup>*

*It would be between his torso and his shoulder.<sup>84</sup>*

*I have a line of sight with my weapon and the suspect.<sup>85</sup>*

*I fire my weapon at the suspect.<sup>86</sup>*

*...in order to protect my life and my partner's life.<sup>87</sup>*

*"Drop the gun, drop the weapon!"<sup>88</sup>*

- **Background** – The OIS occurred in an east/west alleyway, south of 2225 Wall Street. The area consisted of apartment complexes on the west side of Wall Street and the north side of the alley. Single family residences were located along the east side of Wall Street. A warehouse was located along the south side of the alley. The alleyway is the egress/ingress for vehicle parking for 2219 Wall Street. The alleyway also allows access to the rear of an industrial clothing warehouse located at 2250 Maple Avenue and rear access for Vaqueros Market, located at 2228 Maple Avenue. The OIS occurred during the hours of darkness at approximately 2138:48 hours.

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<sup>80</sup> Officer Ruiz, Page 13, Lines 5-13.

<sup>81</sup> Officer Ruiz, Page 32, Line 12.

<sup>82</sup> Officer Ruiz, Page 32, Lines 18-23.

<sup>83</sup> Officer Ruiz, Page 38, Lines 8-10.

<sup>84</sup> Officer Ruiz, Page 38, Line 25, and Page 39, Line 1.

<sup>85</sup> Officer Ruiz, page 33, Lines 20-21.

<sup>86</sup> Officer Ruiz, Page 34, Line 1.

<sup>87</sup> Officer Ruiz, Page 34, Lines 3-4.

<sup>88</sup> Officer Ruiz, Page 29, Lines 10 - 11.

According to the FID investigation, the officers' background at the time of the OIS was the wall of the apartment complex, located on the north side of the alley. According to the FID investigator, FID canvassed the OIS scene for any potentially injured residents, and determined that no residents were injured as a result of the OIS incident. Forensic Science Division (FSD), Firearms Analysis Unit (FAU) criminalists conducted an examination of the OIS scene for ballistic impacts, trajectories and projectiles. Their examination did not locate any ballistic impacts or trajectories.

The UOFRB considered the circumstances of the OIS and noted that the background when both Officer Coyle and Ruiz discharged their service pistol appeared to be a wall of an apartment complex. The UOFRB noted, and the Chief concurred, that the background of the OIS for both Officers Coyle and Ruiz did not have any particular concerns.

In this case, the UOFRB conducted a thorough review and analysis of the reasonableness of Officer Coyle's use of deadly force. Officer Coyle observed Bravo running in his direction, holding his waistband, as if he's going to pull a weapon out from his waistband. Officer Coyle turned to his right to exit the police vehicle. As Bravo ran on the sidewalk, Officer Coyle observed Bravo remove a blue-steel handgun from his waistband with his right hand. Officer Coyle believed Bravo was removing the handgun in an attempt to shoot him. As Bravo removed the handgun, Officer Coyle believed Bravo lost his grip, because the handgun went flying in front of him. Officer Coyle estimated that the gun slid approximately 12 feet in front of Bravo. Officer Coyle knew it was a real handgun when he observed the glare from the light reflecting off the handgun as it was flying through the air and heard the steel hit the concrete when it hit the ground. When Bravo ran past him on the sidewalk, Officer Coyle estimated Bravo came within seven to ten feet of him. Due to the fact Bravo just dropped a firearm, Officer Coyle moved east in the alley towards the rear of his police vehicle with the intent to redeploy around the rear of his police vehicle to be with Officer Ruiz on the driver's side of the police vehicle, since Officer Coyle no longer had the cover of his vehicle door. As Officer Coyle moved, he began to point his service pistol at the middle portion of Bravo's back. As Bravo continued east and neared his handgun lying in the parkway, Bravo reached down and grabbed the handgun with his right hand. Believing that Bravo was going to shoot him or his partner, Officer Coyle discharged his first volley of approximately three to four rounds at the center of Bravo's back. Officer Coyle stated he fired because Bravo had already presented that he was going to pull a handgun and shoot him, because Bravo had already tried to and dropped the handgun. Officer Coyle assessed that Bravo had a chance to run, but instead of running past the handgun, Bravo grabbed the handgun to shoot Officers Coyle and Ruiz.

The UOFRB reviewed Officer Coyle's discharging of an additional three rounds to four rounds (Volley Two). After Officer Coyle's first volley, he quickly assessed and observed Bravo continue to run east while looking back, west, at him and Officer Ruiz, with the handgun still in his right hand. Officer Coyle noted Bravo's body was

bladed to the right, with his left foot on the ground, and his right foot back toward their direction. Officer Coyle observed Bravo raise his right arm to shoulder level and point the handgun at him and Officer Ruiz. Officer Coyle stepped to his right as he aimed his service pistol at the right side of Bravo's chest and discharged a second volley of approximately three to four rounds at Bravo. When asked if he felt there was any other options other than to fire his second volley, Officer Coyle stated, "No. That handgun was pointed right at me and my partner. And if I didn't stop that threat, he was going to kill me and my partner." Officer Coyle immediately assessed again after he discharged his second volley and observed that Bravo had fallen to the ground. Officer Coyle determined that Bravo was no longer an imminent threat and did not discharge additional rounds. The Chief noted the rapid escalation and dynamics of this incident.

The UOFRB conducted a thorough review and analysis of the reasonableness of Officer Ruiz's use of deadly force. Officer Ruiz stated that he had lost sight of Officer Coyle and Bravo due to being on the driver's side of the police vehicle, so he began to move east, toward the rear of his police vehicle. Officer Ruiz heard nervousness in Officer Coyle's voice and heard Officer Coyle state, "Drop the gun, drop the weapon!" Officer Ruiz heard approximately three gunshots being fired, so he unholstered his pistol and held it in a two-handed shooting position. As Officer Ruiz came out from behind the police vehicle, Officer Ruiz observed Bravo bent over at the waist, holding a handgun in his right hand. According to Officer Ruiz, Bravo was turning his torso and shoulders east, and looking back in their direction, and bringing the handgun up between his torso and shoulders. Because Officer Ruiz had already heard shots being fired, he believed Bravo had fired at Officer Coyle. Based on Bravo's body positioning, Officer Ruiz believed Bravo was trying to acquire him and Officer Coyle as a target and intended to shoot at them. In order to protect his life and the life of his partner, Officer Ruiz aimed his pistol at Bravo's upper torso and lower shoulder area, and discharged one round. Immediately after Officer Ruiz discharged his single round, he observed Officer Coyle to his left and moving to the east, approximately three to four feet in front of him. According to Officer Ruiz, he immediately lowered his muzzle to avoid a crossfire situation. The UOFRB noted that Officer Ruiz discharged his service pistol in a controlled manner. Officer Ruiz discharged a single round, assessed and was aware of Officer Coyle moving across, and did not discharge any additional rounds.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that an officer with similar training and experience as Officers Ruiz and Coyle, would reasonably believe Bravo's actions presented an imminent threat of death or serious bodily injury and that the use of deadly force was necessary and objectively reasonable.

Therefore, the Chief found Officers Ruiz and Coyle's use of lethal force to be In Policy, No Further Action.

## Additional/Equipment

- Medical Treatment/Rendering Aid** – After the OIS, at approximately 2142:11 hours, Sergeant Koval responded and assumed incident command. At approximately 2145:16 hours, Sergeant Koval requested a RA. Sergeant Koval assessed that the RA would not respond to the alley due to the ongoing tactical situation of two outstanding suspects. Sergeant Koval formulated a tactical plan to take Bravo into custody and move him to a location that the RA would respond to immediately. Sergeant Koval directed Bravo's arrest and relocation to the intersection of 23<sup>rd</sup> Street and Wall Street. At approximately 2155:50 hours, LAFD personnel arrived at scene and rendered aid to Bravo. LAFD personnel were unable to revive Bravo and determined death at 2200 hours.

## Body Worn Video

Sworn Employee	Serial No.	Issue	Priors	Recommendation
L. Contreras	25402	Timely Activation	1	Divisional Training

## Body Worn Video – Audit

Sworn Employee	Serial No.	BWV Audit Type	Date Range	Result	Compliance Rate
L. Contreras	25402	Timely Activation	9/7/20 – 10/6/20	8 out of 8	100%

## Required Equipment (DICVS Microphone)

Sworn Employee	Serial No.	Issue	Recommendation
K. Ruiz	42706	DICVS microphone not mounted on person	Comment Card

## Required Equipment

Sworn Employee	Serial No.	Issue	Recommendation
K. Ruiz	42706	No Baton	Divisional Training
R. Jovel	33400	No Baton	Divisional Training
L. Blanco	42648	No HRD	Divisional Training
L. Contreras	25402	No HRD	Divisional Training
R. Koval	37786	No HRD	Divisional Training
A. Urrutia	36065	No HRD or Baton	Divisional Training
W. Hines	37786	No HRD or Baton	Divisional Training
S. Blanco	39533	No HRD or Baton	Divisional Training

## Less-Lethal Force Options

Sworn Employee	Serial No.	Issue	Recommendation
R. Koval	32560	Less-Lethal Option not incorporated in tactical plan	Divisional Training

## Audio/Video Recordings

- **Digital In-Car Video System (DICVS)** – Officers Ruiz and Coyle's DICVS captured the occupants inside of the black BMW and the exiting of all the occupants. The DICVS did not capture the OIS.

Multiple additional police vehicles equipped with DICVS responded to this incident. None of the videos captured the OIS.

- **Body Worn Video (BWV)** – Officers Coyle and Ruiz's BWVs each captured a portion of their actions during the initial encounter with the driver of the Mercedes. Officer Ruiz's BWV was activated just prior to the stop of the BMW and captured the OIS. Officer Coyle's BWV was activated following the OIS; however, the two-minute buffer captured the OIS in its entirety without audio.

Officers Salcedo, Zuniga, Vidaure, Braun, Holstein, Blanco, Sanko, Garcia's and Sergeants Contreras and Koval's BWV captured portions of Bravo's apprehension.

The BWV of Officer H. Almaraz, Serial No. 27559, S. Wills, Serial No. 33368, and M. Corral, Serial No. 40625, Metropolitan Division, captured portions of the K-9 contact and the arrest of Hernandez.

The BWV of Officers A. Governale, Serial No. 40360, and S. Carnevale, Serial No. 27920, Metropolitan Division, captured the arrest of Villegas.

- **Outside Video** – Security video from the store at 2250 Maple Avenue captured Villegas entering the BMW, the initial contact by the officers with the BMW and Mercedes, and the BMW and police vehicle as they drove north on Wall Street and into the alley. The video did not capture the OIS.

Security video from the residence at 2224 Wall Street captured portions of the K-9 search, but did not capture the OIS or the K-9 contact.

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## **INSPECTOR GENERAL REVIEW**

### **Inspector General Analysis**

#### **Investigation Quality**

- No significant issues of concern were identified in relation to investigation quality.

#### **Training Issues**

- No significant issues of concern were identified in relation to training.

#### **Equipment Issues**

- No significant issues of concern were identified in relation to equipment.

#### **Additional Issues**

- Immediately following the OIS, which occurred at 21:38, neither of the involved officers requested a Rescue Ambulance (RA) for Bravo. Sergeant Koval arrived on scene at 21:42, and three minutes later (at 21:45) he inquired with CD as to whether an RA had been requested yet. When CD advised that no RA had been requested, Sergeant Koval requested one and conveyed Bravo's apparent condition as unconscious and not breathing. An RA ultimately arrived on scene at 21:55 hours.

In his interview with FID, Sergeant Koval explained why he had other officers at the scene move Bravo from his location subsequent to the OIS, stating, “*Just to provide medical attention to him to render aid. Because we did have outstanding suspects, there was high ground to the - - to the north and to the south, I didn’t think it was safe for the RA to come in and I didn’t think they would come in to render aid, so I thought it was best to get him the help was to move him to 23 and Wall.*”<sup>89</sup> Sergeant Koval was also asked if he recalled whether anyone at the scene made a mention of putting Bravo in any kind of recovery position, and he replied that he did not.

Seventeen minutes elapsed between the time of the OIS and the arrival of the RA. During that time, Bravo was handcuffed and subsequently carried approximately 295 feet from the scene of the OIS to the corner of 23rd Street and Wall Street, where he was placed in a prone position on the sidewalk. At that location, Sergeant Koval directed officers to search Bravo, and a search of his person was completed. Bravo was then left handcuffed in the prone position on the sidewalk until the arrival of the RA.

The OIG noted that none of the officers or supervisors on scene provided any medical assistance to Bravo during the seventeen-minute period between the OIS

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<sup>89</sup> Sergeant Koval, Page 46, Lines 4-10.

and the arrival of the paramedics. The applicable Department training in place at the time of this incident was documented as follows:

*Officers, including detention officers, should provide basic and emergency medical assistance to all members of the community, including victims, witnesses, subjects, suspects, persons in custody, subjects of a use of force, and fellow officers:*

- *To the extent of the officer's training and experience in first aid/CPR/AED; and;*
- *To the level of equipment available to an officer at the time assistance is needed.*

*Available equipment includes personal protective equipment (PPE) which is necessary to avoid direct contact with bloodborne pathogens and other bodily fluids.*

*Officers should only render aid when it is safe and practicable to do so.*

## **SUPERVISOR'S RESPONSIBILITIES**

*Supervisors should ensure that medical assistance has been initiated under the guidelines of this Bulletin and that fire department response has been requested in accordance with existing Department policy and procedure (LAPD Training Bulletin, Volume XLVIII, Rendering Medical Aid, July 2019.)*

Since the date of this incident, the Department's Use of Force Policy has been updated to include a requirement that officers immediately request a Rescue Ambulance for, and provide basic and emergency medical assistance to, injured persons based on the extent of an officer's training and experience as well as the level of equipment available to an officer. The version of the Department's Use of Force policy in effect at the time of this incident did not include an equivalent requirement.

The OIG recommends that the topics of promptly requesting a Rescue Ambulance for, and providing basic and emergency medical assistance to, injured persons be addressed with the personnel involved in this case.

## **Detention**

- The OIG concurs with the Chief's analysis.

## **Tactical De-escalation**

- As noted by the Chief, prior to the OIS occurring there were issues with Officers Coyle and Ruiz's planning and communication. Once the vehicle stop had been initiated in the alleyway and Bravo had run toward the officers while arming – and then re-armng – himself with a pistol, there was minimal opportunity for the officers

to employ de-escalation techniques, as they faced what appeared to be an imminent deadly threat. Following the OIS, the officers redeployed to a position of cover and requested additional resources, consistent with the principles established by Department de-escalation training.

### **BWV and DICVS Policy Compliance**

SERIAL	NAME	TIMELY BWV ACTIVATION	FULL 2-MINUTE BUFFER	BWV RECORDING OF ENTIRE INCIDENT	TIMELY DICVS ACTIVATION	DICVS RECORDING OF ENTIRE INCIDENT
43567	Coyle, L.	No	Yes	Yes	Yes	Yes
42706	Ruiz, K.	No	Yes	Yes	Yes	Yes

### **Inspector General Recommendations**

#### **Tactics**

- The OIG concurs with the Chief's findings.

#### **Drawing/Exhibiting**

- The OIG concurs with the Chief's findings.

#### **Lethal Use of Force**

- The OIG concurs with the Chief's findings.



MARK P. SMITH  
Inspector General